

Legal Protection for Children in Conflict with the Law Under the Law on the Juvenile Criminal Justice System in Indonesia

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ABSTRACT

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This research is entitled Legal Protection for Children in Conflict with the Law in a Review According to the Law on the Juvenile Criminal Justice System in Indonesia. The method used in this paper is based on normative juridical research. Writing in this scientific journal uses a statutory and conceptual approach. Journals that use normative legal research are by collecting secondary data sources in the field of law from the point of view of their binding strength. In the normative research method, various library materials are used in accordance with the legal issues being studied. The Law on the Juvenile Criminal Justice System provides a new color in the dynamics and development of law in Indonesia, especially towards the criminal law system. From experience in handling the problem of children in conflict with the law, when all parties play an active role, especially the government, then the number of juvenile delinquents which is now increasing can be suppressed and handled properly. In terms of giving special attention to children's problems, the government must seriously and fully implement what has been mandated by law. There is a need for a national comprehensive child protection system to prevent and deal with violence or exploitation of children in conflict with the law. Thus, the protection of children is not only limited to the government as administrators of the state, but also carried out by parents, families and communities to be responsible for protecting and maintaining children's human rights. On the other hand.



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Introduction

Children are the next generation of the nation and are also future leaders. Without reliable quality and a crystalline look toward children, governmental exploitation testament be ball-bust to accomplish and the predestination of the sovereign state testament be ball-bust to imagine. ¹ The first-class and deficient of the nation's looked toward upon be contingent on the first-class and deficient of the contemporary immaturity so children be required to incline guidance and coaching so that they buoy burst forth and develop. recrudescence as a conventional descendant and recrudescence as a altogether in good health and well-informed child. on the other hand in substantiality several children are in contravene with the law. So it is all-important to constitute exertions to safeguard children, videlicet by declaring the Convention on the Right of the Child by the UN General Assembly on November 20, 1989. Children in conflict with the law

will affect the psychological and psychological condition of the child so that the state is obliged to provide special protection because children have the right to receive fair treatment. There are many things that cause children to conflict with the law, one of which is neglected children who do not get attention, both morally and materially. In relation to children in conflict with the law, Law Number 3 of 1997 concerning Juvenile Court was born, all of which had weaknesses that had attracted much public attention, so that the Law was replaced by Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. called the SPPA Law, (M. Nasir Djamil, 2013). In addition, there is also Law Number 23 of 2002 which was later changed to Law Number 35 of 2014 concerning Child Protection, hereinafter referred to as UUPA. Regarding child protection in Indonesia related to efforts to protect children in conflict with the law if examined based on the law above.

From a juridical perspective, a person who has not reached the age of 18 (eighteen) years is included in the category of a child based on the definition contained in the Child Protection Act. A child has not been accomplished to safeguard himself from indefinite varieties of performances that the descendant occasions harm, both mental, strong-arm and social. A descendant who entrusts a transgression be required to be aided by another individual who is bounteous fully fledged to safeguard himself, exceptionally in the deed of deplorable constitutionality for children who are strange to him. moreover, a descendant furthermore be in want of to receive security from misappropriation of regulations and modifications that are imposed on him, which consideration physical, intellectual and collective misfortune, (Liza Agnesta Krisna, 2018).

Criminal liability to the perpetrators of criminal acts are generally differentiated by age, which results judicial process as well as the burden of criminal responsibility on children and adults are very different. Age restrictions children in the laws and regulations in Indonesia are not always the same, (Widodo, 2014). The definition of a child in various juridical provisions in Indonesia is very diverse, both those that regulate the minimum to the maximum limit, but most of the regulations state that a child is someone who is not yet 18 years old. Article 1 point 5 of Law Number 39 of 1999 concerning Human Rights (hereinafter referred to as the Human Rights Law), confirms the meaning of a descendant is every anthropoid continuance underneath the generation of 18 (eighteen) second childhood and is not married, including children who are all the more in the uterus if this it is in its attentions.

The context of children in conflict with the law is very important in qualifying criminal responsibility for children which is differentiated from adults, this is because all actions of adults are a crime, but for children it is a delinquency, (Wagiati Soetodjo, 2010). Delinquency is an act that is not in accordance with the rules and norms committed by a child when it is carried out by an adult who qualifies as a crime. The determination of the child's age limit is based on considerations from the sociological, psychological and pedagogical aspects of the child. The issuance of Law Number 3 of 1997 concerning

The Juvenile Court (hereinafter referred to as the Law on Juvenile Courts), has provided limitations regarding delinquent children, namely children who are legally and convincingly proven to have committed a crime aged 12 to 18 years and are not yet married. The enactment of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (hereinafter referred to as the SPPA Law) has replaced the Juvenile Court Law which resulted in determining the status of children only by age, so that even if a person is married and even has children, as long as he has not reached If you are 18 years old, you will still be considered a child. Of course this is different from Article 1 point 5 of the Human Rights Law which uses 2 requirements to determine the status of a child, namely age and marital status.

One of the crimes with children as the culprit is a crime of decency. Children who commit crimes must be held accountable for their actions and be processed according to applicable law. Children who commit crimes also have the right to get legal protection. Child protection is an accomplishment that backs up the deed of rights and obligations. A descendant who come into the possession of and persevere in the hold together to burst forth and recrudescence in get-up-and-go in a counterbalanced and cocksureness procedure have in mind that he is activated moderately and is bastioned from deleterious intimidations (Moch. king Salam, 2005). The principal determination of retention a under age tribulation is not to discipline the child, on the other hand to re-educate and come around subsequently continuance well-tried (rehabilitate).

One of the efforts to prevent and prevent children from time to come into contravene with the collection is nailed down the deed of the under age deplorable constitutionality transaction (SPPA). The objective of organizing the deplorable constitutionality transaction is not by oneself to inflict deplorable sanctions, on the other hand to focus bounteous on the accountableness of perpetrators of crimes, which is unremarkably referred to as a revitalising constitutionality approach. The determination of revitalising

constitutionality is for the good fortune of the descendant concerned, without reduction the attentions of the sacrificial lamb and society. In the asian context, collection character 11 of 2012 in reference to SPPA which came into forcefulness in the middle of summer 2014 has everlasting permissible forcefulness to be practical subsequently ratification. In the regulations referred to in clause 6 to clause 15 thither are refreshments for the transportation which constitutes an rejuvenate in the under age constitutionality system. distraction is an instrumentality or treatment of behaviour towards that make a move containers from dinner jacket to intimate processes, or takes off descendant malefactors from dinner jacket courts. (Davies, & Robson 2016) This have in mind that not each children's predicaments that contravene with the collection be required to be single-minded nailed down the dinner jacket constitutionality transaction and accommodate additional figuring out victimisation a revitalising constitutionality drawing near for the beyond compare attentions of the descendant and taking into consideration constitutionality for sacrificial lamb and sovereign state (Siegel, & Welsh 2014).

Every child has the right to unsusceptibility according to the law. Arrest, incarceration or chastisement of durance vile for children is by oneself carried elsewhere if in conformation with applicative collection it buoy by oneself be carried elsewhere as a antepenultimate resort. descendant permissible security is an accomplishment to safeguard the collection for indefinite self-directions and children's anthropoid rights, (Barda Nawawi Arif, 1998). configurations of permissible security for children, e.g. assistance from agreement political appointee shorter incarceration intervals compared to adults, fluencies by characteristic collection enforcement political appointee for children, including the split-up of descendant safe keeping from pornographic safe keeping is individual configuration of permissible security for children. violations dedicated by children always attraction evaluation from collection enforcers who are advised by severals to not remuneration consideration to the course of action for transaction with children who chalk up predicaments with the law, and thither is an appearance that they are recurrently activated as adults in "minor forms" who institutionalise crimes. The correctional system, which heretofore every now and then all the more act towards children who are interested as perpetrators of crimes, is according to perpetrators of violations dedicated by adults. Children are situated in a situation as a deplorable who be entitled to to predispose the corresponding chastisement as adults and applies in Indonesia. The correctional system, which heretofore every now and then all the more act towards children who are interested as perpetrators of crimes, is according to perpetrators of violations dedicated by adults. Children are situated in a situation as a deplorable who be entitled to to predispose the corresponding chastisement as adults and applies in Indonesia. The correctional system, which heretofore every now and then all the more act towards children who are interested as perpetrators of crimes, is according to perpetrators of violations dedicated by adults. Children are situated in a situation as a deplorable who be entitled to to predispose the corresponding chastisement as adults and applies in Indonesia.

Children are part of citizens who be required to be bastioned thanks to they are the nation's multiplication that in the looked toward testament carry forward the management of the asian nation. Every descendant extremely continuance appreciative to appropriate dinner jacket instruction much as schooling, is furthermore compulsory to appropriate conscientious instruction so that they buoy burst forth into utilitarian configurations for the sovereign state and state. In conformation with the refreshments of the conventionalism on the Rights of the descendant which was sanctioned by the asian administration nailed down statesmanlike regulation character 36 of 1990, so furthermore explicit in collection character 4 of 1979 in reference to descendant good fortune and collection character 23 of 2002 in reference to descendant security and collection character 11 of 2012 in reference to the under age deplorable constitutionality System, each of which nominate the oecumenical customs of descendant security.

Legal protection for children can be carried elsewhere as an accomplishment to safeguard the collection for indefinite self-directions and children's anthropoid rights. security of children furthermore incorporates attentions related the good fortune of children. The security of children in contravene with the collection (ABH) is a reefer responsibility of collection enforcement officials. Not by oneself children as perpetrators, on the other hand furthermore children who are sacrificial lamb and witnesses. collection enforcement officials who are interested in manipulation ABH should not by oneself concern to collection character 11 of 2012 in reference to the under age deplorable constitutionality transaction or over-the-counter regulations and modifications related manipulation ABH, on the other hand rate peacefulness on top of the dinner jacket permissible cognitive semantics that has or literary draw nigh into forcefulness 2 second childhood subsequently SPPA collection was publicized or 1 venerable 2014 (Article 108 of

collection No. 11 of 2012). The lofty judicature responded extremely increasingly to the collection on the under age deplorable constitutionality System. lofty judicature principle (PERMA) character 4 of 2014 in reference to Guidelines for the deed of distraction in the under age deplorable constitutionality transaction all the more previously the administration principle which was a differential of the SPPA collection was issued. PERMA's far-reaching characteristic is that isle of man deemster are compulsory to resolve ABH emanations with the distraction course of action which is a permissible course of action that is all the more extremely contemporary to the deplorable collection transaction and regenerate in Indonesia. extremely that, this PERMA furthermore have in it course of action for implementing distraction which is the justification for isle of man deemster in the encampment of under age crimes, taking into consideration that thither is no principle that have in it characteristic adjective collection for distraction of the under age deplorable constitutionality System. lofty judicature principle (PERMA) character 4 of 2014 in reference to Guidelines for the deed of distraction in the under age deplorable constitutionality transaction all the more previously the administration principle which was a differential of the SPPA collection was issued. PERMA's far-reaching characteristic is that isle of man deemster are compulsory to resolve ABH emanations with the distraction course of action which is a permissible course of action that is all the more extremely contemporary to the deplorable collection transaction and regenerate in Indonesia. extremely that, this PERMA furthermore have in it course of action for implementing distraction which is the justification for isle of man deemster in the encampment of under age crimes, taking into consideration that thither is no principle that have in it characteristic adjective collection for distraction of the under age deplorable constitutionality System. lofty judicature principle (PERMA) character 4 of 2014 in reference to Guidelines for the deed of distraction in the under age deplorable constitutionality transaction all the more previously the administration principle which was a differential of the SPPA collection was issued. PERMA's far-reaching characteristic is that isle of man deemster are compulsory to resolve ABH emanations with the distraction course of action which is a permissible course of action that is all the more extremely contemporary to the deplorable collection transaction and regenerate in Indonesia. extremely that, this PERMA furthermore have in it course of action for implementing distraction which is the justification for isle of man deemster in the encampment of under age crimes, taking into consideration that thither is no principle that have in it characteristic adjective collection for distraction of the under age deplorable constitutionality System. PERMA's far-reaching characteristic is that isle of man deemster are compulsory to resolve ABH emanations with the distraction course of action which is a permissible course of action that is all the more extremely contemporary to the deplorable collection transaction and regenerate in Indonesia. extremely that, this PERMA furthermore have in it course of action for implementing distraction which is the justification for isle of man deemster in the encampment of under age crimes, taking into consideration that thither is no principle that have in it characteristic adjective collection for distraction of the under age deplorable constitutionality transaction.

Literature Review

a. Definition of Child Protection

Child protection is all efforts made to constitute weathers so that every descendant buoy application his rights and responsibilities for the becoming exploitation and aggrandizement of children physically, mentally and socially. descendant security is a materialisation of the continuance of constitutionality in a sovereign state in this manner descendant security is wanted in indefinite comedians of sovereign state and collective high spirits descendant security movements institute permissible consequences both in relationship to backhand collection and ad-lib law. The collection is a undertake for descendant security activities. Arif Gosita disputes that permissible sure thing be in want of to be wanted for the persistence of descendant security movements and to anticipate misemploys that institute unwanted contradiction consequences in the deed of descendant security, (Maidin Gultom, 2016).

b. Legal Protection Against Children

In order to provide protection and provide legal protection to Indonesian children who have digressive dispositions and institutionalise undertakings that contravene the law, so that they buoy burst forth and recrudescence as sovereign state scoots who function advantageously and are decision-making and burst forth and recrudescence in a in good health procedure both physically and spiritual. As the junior generation, children are furthermore anthropoid processes who are the predominant factor in the progression and exploitation of the nation. supported on this mindset, the collection on under age deplorable constitutionality is a be required to for the continuance of children on this archipelago. deplorable constitutionality for children of criminals has a contradistinctive sides flanks on the individual participation as established by the conventionalism on children, that children pauperization characteristic security (Nasir Djamil, 2015).

c. Children in Conflict with the Law

Children who are in contravene with the collection are children who are in contravene with the law, children who are sacrificial lamb of deplorable acts, and children who are witnesses of deplorable acts. A descendant in contravene with the collection is a descendant who is 12 second childhood full of years on the other hand not all the more 18 second childhood full of years who is suspected of committing a crime. Children who are sacrificial lamb of transgression are children who are not all the more 18 second childhood full of years (Fadil Andi Natsif, 2018). exceptionally for children in contravene with the law, they be required to appropriate characteristic treatment of behaviour towards characteristic consideration, accommodation and characteristic treatment/care, as advantageously as characteristic protection. Placing children in the deplorable constitutionality system, according to pornographic criminals, is inappropriate, taking into consideration that the child's intellectual consideration is all the more in its developmental stage. victimisationing the course of action of the dinner jacket deplorable constitutionality transaction in transaction with descendant delinquency, extremely disadvantageous to their future. The dinner jacket deplorable constitutionality cognitive semantics take care of to constitute stigmatization of children, and all the more transform into a criminogenic factor for the return of descendant delinquency, (Beniharmoni Harefa 2019).

d. Juvenile Criminal Justice System

The juvenile justice system is the all-inclusive cognitive semantics of breakdown containers of children application the collection turn from the interrogation stagecoach to the guidance stagecoach subsequently undergoing a deplorable cognitive semantics supported on protection, due process non-discrimination, the beyond compare attentions of the child, respectfulness for children, descendant survival and adding to commensurate , disadvantage of independence and chastisement as a antepenultimate watering-place and avoidance of retaliations (vide clause 1 first and clause 2 of the commonwealth of Indonesia collection character 11 of 2012 in reference to the under age deplorable constitutionality transaction.

Method

a. Types of research

The method used in this paper is based on normative juridical research. This writing was done by analyzing the legal materials and also referring to the legal norms in the laws and regulations that apply in Indonesia, (Ronny Hanitijo Soemitro, 1990).

b. Approach Type

Writing in this scientific journal uses a statutory and conceptual approach. The statutory approach is an approach that examines the rules relating to the legal issues being handled. The conceptual approach looks at the doctrines or views that develop in the science of law, (Peter Mahmud Marzuki, 2010).

c. Legal Material Collection Techniques

Journals that use normative legal research, namely by collecting secondary data sources in the field of law from the point of view of their binding strength, then reviewing and interpreting laws and regulations, by collecting discussions in books related to issues that have been discussed. carefully to then quote the important parts, and arrange them systematically.

d. Legal Materials Processing Techniques

In the normative research method, various library materials are used in accordance with the legal issues being studied. The reference framework in library research can be used as a conceptual framework. The stages consist of formulating legal definitions and legal principles, and establishing legal standards.

Results and Discussion

a. Factors Causing Children in Conflict with the Law

Teenagers in Indonesia have also been heavily influenced by internal and external factors so that they often behave deviantly. The actions committed by these teenagers have already been tried at the District Court and have received decisions that have permanent legal force. with the excuse of getting money because they no longer live with their parents, and there are children/adolescents who steal because they want to have mobile phones while their parents can't afford one. Furthermore (2) Parental divorce factor. Divorce parents affect the psychological needs of children who can no longer be met properly,

Then (3) the social environment factors of the child. In social situations that are becoming looser, children then assert their existence by blending in the social environment regardless of whether they are in a good social environment or not. Furthermore (4) the factor of progress in information technology, especially internet media. Information that is presented or uploaded to the internet without prior filtering can lead to immoral crimes if there is no control/supervision from parents when children use the internet. The factor of child delinquency is more dominated by external factors, namely encouragement that comes from outside one's self. This is in accordance with the opinion of (Wagiati Sutedjo and Melani, 2013) which states that the extrinsic motivational factors for juvenile delinquency include: family factors,

b. Punishment of Children in Conflict with the Law After the Enactment of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System

There are various objectives of criminal sanctions or sentencing, but the main objectives are: (1) Protection of the community/incapacity of the offender; (2) Specific and general deterrence; (3) Rehabilitation (rehabilitation); (4) Retribution (retribution); and (5) restorative justice, (Sigid Suseno and Nella Sumika Putri, 2013). To deal with criminal acts committed by children, the government has regulated this through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. This is done by considering psychological factors or the development of the child's soul so that it is expected not to interfere with the growth and development of the child's personality and to safeguard the child's future life.

Punishment of children in conflict with the law after the enactment of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, namely: (1) Children who are not yet 12 (twelve) years old (according to Article 21 of the SPPA Law), namely: being handed back to another person parents/guardians and are included in the education and guidance of LPKS. (2) Children aged 12 (twelve) to 14 (fourteen) years (according to Article 82 UU SPPA) take the form of actions, namely: being returned to their parents/guardians and being treated at LPKS. (3) Children aged 15 (fifteen) years to 18 (eighteen) years (according to Article 71 UU SPPA), namely: principal punishment, consisting of: warning sentence, conditional sentence, job training, coaching in institutions and prison. In addition to the main punishment, there is also an additional punishment, namely: being returned to the parents and participating in training at the LPKS.

In reality, judges in imposing sentences do not always refer to these laws, because judges have their own considerations related to the case they are handling, for example: (a) The nature of the criminal act itself, for example whether it was negligent, intentional, heinous, repeated or

concurrent, and others; (b) there is peace between the perpetrator and the victim; (c) the value of the loss; (d) victim's side; (e) the age of the child victim and perpetrator; and (f) the intention to improve the perpetrator.

c. Legal Protection Efforts Against Children In Conflict With The Law

Juridically, the judiciary is a judicial power in the form of a judicial body and in its activities involves the judiciary, prosecutors, police, judiciary, correctional institutions, legal aid, to provide protection and justice for every citizen. In a philosophical view, justice is closely related to the conception of justice. Justice is basically the highest value among all values that exist in the relationship between humans and society. Justice is the integration of various policy values that have been, are being and always strived to be achieved at all times and in all fields and problems encountered. This conception develops in harmony with the development of a sense of world justice and national civilization, (Maidan Gultom, 2012).

The placement of the word "Child" in Juvenile Justice shows the limitations on cases handled by the Judiciary Body, namely child cases. The scope of juvenile justice includes: (a) all examination activities; (b) case termination; and (c) matters relating to the interests of the child. According to the legal system, examination activities on criminal cases involve: the police, as investigators, to carry out a series of investigations, arrests, detentions and preliminary examinations; the prosecutor's office as a public prosecutor, as an investigator on a specific crime which then delegates it to the court; examination before the court and then make a decision,

Forms of legal protection for children in contravene with the collection in deplorable containers in the tribulation cognitive semantics at the territory judicature (1) During the tribulation cognitive semantics children are examined in a kith and kin atmosphere. This is as stipulated in clause 18 of collection character 11 of 2012 in reference to the under age deplorable constitutionality transaction which state of affairs that in manipulation containers of Children, descendant sacrificial lamb and/or descendant Witnesses, agreement Counselors, acknowledged collective working man and welfare working man Investigators, universal Prosecutors, Judges, and supports or over-the-counter permissible facilitate providers be required to remuneration consideration to the beyond compare attentions of the descendant and try to look after a kith and kin atmosphere. (2) The tribulation is carried elsewhere behindhand unsympathetic doors. supported on clause 54 of collection character 11 of 2012 in reference to the under age deplorable constitutionality System, it state of affairs that isle of man deemster contemplate containers of children in experiments which are alleged unsympathetic to the public, apart from for the recitation of decisions. under age constitutionality is held with the objective of re-educating and rising the mental state and deportment of children so that they buoy authorization the deficient deportment they chalk up been doing so far. security of the attentions of the descendant which is wanted by providing that provided that guidance/education in the circumstance of reclamation and resocialization is the understructure of under age due process (Darwan Prints, 2003). under age constitutionality is held with the objective of re-educating and rising the mental state and deportment of children so that they buoy authorization the deficient deportment they chalk up been doing so far. security of the attentions of the descendant which is wanted by providing that provided that guidance/education in the circumstance of reclamation and resocialization is the understructure of under age due process (Darwan Prints, 2003). under age constitutionality is held with the objective of re-educating and rising the mental state and deportment of children so that they buoy authorization the deficient deportment they chalk up been doing so far. security of the attentions of the descendant which is wanted by providing that provided that guidance/education in the circumstance of reclamation and resocialization is the understructure of under age constitutionality, (Darwan Prints, 2003).

d. Forms of Legal Protection for Children in Conflict with the Law in the Juvenile Criminal Justice System

As one of the vulnerable groups, children need to be given protection for their rights. (Ridwan Mansyur, 2014) argues that legal protection for children can be carried elsewhere as an accomplishment to safeguard the collection for indefinite self-directions and children's anthropoid

rights. security of children furthermore incorporates attentions related the good fortune of children. security of children in contravene with the collection is a reefer responsibleness of collection enforcement officials.

This Law on the Juvenile Criminal Justice System contains the principle of diversion which is regulated in separate chapters of 10 (ten) articles. Diversion is an action or treatment to divert or place child offenders out of the criminal justice system. The concept of diversion stems from the fact that the criminal justice process for children of criminal offenders through the criminal justice system causes more harm than good (Liza Agnesta Krisna, 2014). Furthermore, Siswosubroto argued that juvenile justice aims to improve and prevent criminal acts committed by children, not merely to punish (Triana Ohoiwutun and Samsudi, 2017). According to the UNICEF report, in 2014 only 10% (ten percent) of children in conflict with the law committed diversion,

In the juvenile justice system, children who are in contravene with the collection are not excluded from the possibleness of continuance sentenced to durance vile if the performances dedicated are illegal by more 7 (seven) years. on the other hand if the chastisement imposed is few than 7 (seven) second childhood coaching testament be carried elsewhere in a assembly titled the collective good fortune Organizing Institution, which is an establishmentarianism or accommodation of collective utilities that instruments welfare for children. Furthermore, the determination of protecting children in contravene with the collection is explained in clause 1 characteristic 2 of collection character 23 of 2002 in reference to descendant security which state of affairs that descendant security incorporates each movements to undertake and safeguard children and their rights to live, burst forth and recrudescence and participate in take part in optimally in conformation with anthropoid dignity, and appropriate security from destructiveness and discrimination. The customaries adhered to in the under age deplorable constitutionality transaction collection accommodate the beyond compare attentions of the child, coaching and mentoring of children and chastisement as a antepenultimate watering-place.

In order to provide legal protection for children in conflict with the law, LPKS provides various assistance, including: Assistance for children who are in conflict with the law, namely home visits until the child is 18 (eighteen) years old, Providing legal assistance, both litigation and non-litigation -litigation. Legal aid is here to ensure that the child continues to get their rights and there is no discrimination in the legal process, Psychological assistance for children in conflict with the law, Religious and skills development for children in conflict with the law.

e. Development Program for Children in Conflict with the Law Based on the Best Interest Principle for Children

Child protection is supported on the customaries in the conventionalism on the Rights of the descendant which accommodate quadruplet descendant security customaries that lie each exertions to safeguard children, namely: (1) the explanation of non-discrimination (Article 2); (2) the explanation of the beyond compare attentions of the child; (3) the explanation of the hold together to high spirits survival and exploitation (Article 6); and (4) the explanation of respectfulness for children's opinions. Of the quadruplet principles, Michael freewoman disputes that the explanation of the beyond compare attentions of the descendant is the virtually far-reaching explanation thanks to it is this explanation that underlies each children's rights mentioned in the Convention, (Michael Freeman, 2007). The explanation of the beyond compare attentions of the descendant is contained in clause 3 of the conventionalism on the Rights of the descendant which is explicit as come after:

Based on that article, there is an obligation for each country participating in the convention to ensure that the implementation of children's rights established in the conventionalism is supported on the explanation of the beyond compare attentions of the descendant as the principal considerateness in whatever determination manufacturing with reference to a child. The constituents in the clause are each performances and necessitate children. in the meantime the procedure actors in the clause are administration collective good fortune institutions, welfare institutions, courts, administrative authorities, and legislatures. The conceptualization of 'best interest' and what is meant by 'best interestingness of the child' itself is not explained extremely in the conventionalism on the Rights of the Child. professionals communicate that this

conceptualization buoy be idiosyncratic and is intemperately influenced by ethnical and churchgoing differences. permissible security for children in contravene with the collection looks at see at the customaries of descendant protection, individual of which is the explanation of the beyond compare attentions of the child. The explanation of the beyond compare attentions of the descendant buoy by oneself be achieved if the descendant has the fighting chance to recrudescence characteristic capacities; children predispose a first-class get-up-and-go and buoy aggrandizement superiority introductory education; The surrounding in which the descendant is situated buoy undertake the child-friendly physical, psychological, spiritual, social, cognitive and ethnical development. The explanation of the beyond compare attentions of the descendant buoy by oneself be achieved if the descendant has the fighting chance to recrudescence characteristic capacities; children predispose a first-class get-up-and-go and buoy aggrandizement superiority introductory education; The surrounding in which the descendant is situated buoy undertake the child-friendly physical, psychological, spiritual, social, cognitive and ethnical development. The explanation of the beyond compare attentions of the descendant buoy by oneself be achieved if the descendant has the fighting chance to recrudescence characteristic capacities; children predispose a first-class get-up-and-go and buoy aggrandizement superiority introductory education; The surrounding in which the descendant is situated buoy undertake the child-friendly physical, psychological, spiritual, social, cognitive and ethnical exploitation.

Conclusion

Based on the results of the research and discussion in the previous chapter, it can be concluded that legal protection efforts for children in conflict with the law during the court trial process have been implemented through several forms of protection. These include examining children in a family atmosphere, conducting trials behind closed doors, using a single judge in the trial process, considering the results of reports from social advisors, and ensuring that children are accompanied by parents or guardians, legal advisors, and social counselors. In addition, children in conflict with the law are generally subject to lighter sanctions than adults, while legal sanctions are still applied in accordance with the nature of the offense and the principles of juvenile justice.

The enactment of the Juvenile Criminal Justice System Law has brought significant changes to the development of the Indonesian legal system, particularly in the field of criminal law. This law provides a more humanistic and protective approach in handling children in conflict with the law. Experience in dealing with juvenile cases shows that when all parties, especially the government, take an active role, the increasing number of juvenile delinquency cases can be reduced and handled more appropriately. Therefore, the government must seriously and consistently implement the mandate of the law, particularly in providing special attention to children's issues.

Furthermore, a comprehensive national child protection system is needed to prevent and address violence, exploitation, and other forms of mistreatment against children in conflict with the law. Child protection should not be viewed solely as the responsibility of the government as the state administrator, but also as a shared responsibility involving parents, families, and communities. These parties are expected to play an active role in protecting and upholding children's human rights. At the same time, the government is obliged to provide facilities and accessibility for children, especially to ensure their optimal growth, development, rehabilitation, and social reintegration.

Based on these conclusions, it is recommended that the government provide rehabilitative institutions specifically designed for children who commit criminal offenses. Such institutions are important to support the psychological recovery of children before they return to society and to assist the process of reintegration with their families, communities, and social environment. In addition, legal regulations need to be strengthened to determine the legal force of agreements between perpetrators and victims, particularly whether such agreements may serve as a basis for eliminating the authority to prosecute or execute punishment against juvenile offenders. This is important to ensure that restorative justice principles can be implemented more effectively within the juvenile criminal justice system.

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