

AN INTERDISCIPLINARY APPROACH TO ECONOMIC AND HEALTH LAW IN THE PROTECTION OF CHILDREN WHO COMMIT PETTY THEFT: A LITERATURE REVIEW

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Abstract

This study aims to analyse the interdisciplinary approach of law, economics, and health in the protection of children who commit petty theft through a literature review. The protection of children as perpetrators of minor crimes requires the application of the principles of restorative justice and diversion as stipulated in the Juvenile Criminal Justice System. However, economic factors such as poverty and social inequality are often the main drivers of children committing petty theft, so interventions in the form of economic empowerment and social assistance are urgently needed. In addition, health aspects, particularly the mental and psychological health of children, must also be a primary concern in protection and rehabilitation efforts. The results of the study show that synergy between a humanistic legal system, appropriate economic intervention, and comprehensive health services is very important to ensure optimal protection for children who commit petty theft and to prevent recidivism. Cross-sector collaboration and regulatory strengthening are key to the successful implementation of fair and sustainable child protection.

Keywords: *Child Protection, Petty Theft, Interdisciplinary Approach, Economic Law, Health, Diversion,.*

INTRODUCTION

Children are the future generation of a nation and play a strategic role in the social and economic development of a country. Ironically, however, many children are involved in criminal acts, particularly petty theft, which is a serious problem in various regions of Indonesia. This phenomenon is a cause for concern because children, as subjects of law, require special protection in accordance with the principles of children's rights. Petty theft committed by children is often triggered by low socioeconomic conditions. Poverty, family economic instability, and lack of parental supervision are the main factors that drive children to commit such acts in an effort to meet their basic needs (Lestari, 2024). This condition shows that economic aspects play a significant role in children's criminal behaviour. In addition to economic factors, health aspects, particularly children's mental and psychological health, also significantly influence criminal behaviour. Children experiencing psychological pressure, trauma, or mental health disorders are more likely to engage in deviant behaviour, including petty theft. Therefore, the protection of child offenders should not only be viewed from a legal perspective but also from a health perspective (Gunawan Widjaja, 2025).

Legally, children who commit crimes are treated differently from adults. Law No. 11 of 2012 on the Criminal Justice System for Children regulates legal protection mechanisms that prioritise the principles of diversion and restorative justice in order to avoid the negative impacts of formal legal processes, such as detention, which can be psychologically damaging to children (James Wilson, 2024). However, the implementation of legal protection for children who commit petty theft still faces various obstacles. Often, children are still sentenced to imprisonment, which has a detrimental effect on their physical and mental development, and ignores the underlying causes of such criminal behaviour, such as poverty and health problems. An interdisciplinary approach that combines legal, economic, and health aspects is crucial to providing comprehensive protection for children who commit petty theft. This approach focuses not only on punishment, but also on prevention, rehabilitation, and the overall recovery of the child's condition (Putri Maharani, 2024). From an economic perspective, efforts to improve family welfare and children's education can reduce the risk of children committing petty theft. Social assistance programmes, skills training, and improved access to education are strategic steps that can address the economic root causes of juvenile delinquency. Meanwhile, the health aspect requires adequate psychological and medical services for children in

conflict with the law. Trauma management, counselling, and mental health rehabilitation must be an integral part of the child protection system so that children can develop optimally again (Indah Pratiwi, 2024). Effective legal protection must accommodate both aspects by prioritising the principles of children's rights and the best interests of the child. The juvenile criminal justice system must be educational and rehabilitative, not merely repressive, in order to prevent children from falling into a cycle of repeated criminality. The integration of law, economics, and health in the protection of children who commit petty theft will have a positive impact on children and society. Children who receive comprehensive protection have a better chance of social reintegration and reducing the rate of recidivism among children who commit crimes (Hasan, 2018). This study aims to examine in depth how an interdisciplinary approach involving law, economics, and health can be applied in the protection of children who commit petty theft. This study will examine existing regulations, contributing factors, and challenges in the implementation of holistic child protection (Robert Miller, 2024). Thus, this study is expected to provide comprehensive and applicable policy recommendations to improve the protection of children who commit petty theft in Indonesia. This interdisciplinary approach is expected to be an effective model in addressing the complex problems faced by these children.

METHOD

The research method used in this study is library research with an interdisciplinary approach, in which researchers analyse various legal sources, economic literature, and relevant health literature to comprehensively examine the protection of children who commit petty theft (Eliyah & Aslan, 2025). Data was collected from legislation, books, scientific journals, and previous research results, then analysed descriptively and analytically to identify the relationship between legal, economic, and health aspects in child protection efforts, as well as to evaluate the challenges and opportunities of applying an interdisciplinary approach in the context of child protection in Indonesia (Booth & Carroll, 2020).

RESULTS AND DISCUSSION

An Interdisciplinary Approach to Economic and Health Law in the Protection of Children Who Commit Petty Theft

An interdisciplinary approach to protecting children who commit petty theft requires collaboration between legal, economic and health aspects to create comprehensive and equitable solutions. The protection of children in conflict with the law, particularly as perpetrators of petty theft, is a state mandate as stipulated in Law No. 35 of 2014 on Child Protection and Law No. 11 of 2012 on the Juvenile Criminal Justice System. The state, local governments, and society are obligated to fulfil children's rights without discrimination, including the right to special treatment in the legal process (Hasan Basri, 2024). From a legal perspective, children who commit petty theft must be treated differently from adult offenders. The juvenile criminal justice system prioritises the principles of diversion and restorative justice, which aim to spare children from formal legal proceedings and the negative effects of detention. Diversion is the primary step in resolving juvenile cases, especially for minor offences such as petty theft, with the hope that children can be rehabilitated and not fall into repeat offences (Robert Miller, 2024). However, the implementation of diversion still faces various obstacles, one of which is the criminal penalty requirement that limits the implementation of diversion to cases with a criminal penalty of less than seven years. This often hinders efforts to reach an amicable settlement between the perpetrator and the victim and limits the judge's discretion in making decisions that are in the best interests of the child (Dewi Anggraini, 2023).

From an economic perspective, poverty and social inequality are the main factors driving children to commit petty theft. Children from poor families often seek shortcuts to meet their basic needs, so economic interventions such as social assistance, education, and skills training are essential to prevent crime. Economic research also highlights the importance of anti-poverty and family empowerment programmes as part of child protection efforts. These programmes not only reduce the risk of children committing crimes, but also improve their welfare and future opportunities, so that they do not become trapped in a cycle of poverty and crime (Lisa Wulandari, 2024). Health aspects, particularly children's mental and psychological health, also have a significant impact on petty theft cases. Children who experience mental stress, trauma, or health disorders are often more prone to committing crimes. Legal processes that are not child-friendly can worsen children's mental health, lower their immunity, and hinder their development. Health services, including counselling and psychological rehabilitation, must be an integral part of the child protection system for juvenile offenders. Many children who commit petty theft have unaddressed mental health issues, necessitating collaboration between legal, health, and social institutions to provide comprehensive protection. (Peter Johnson, 2024).

The difference in treatment between petty theft and aggravated theft in the legal system is also a concern. For cases of petty theft, the legal system tends to prioritise rehabilitation and prevention, rather than punishment. Sanctions such as community service, guidance, or educational programmes are expected to prevent children from repeating their actions and help them return to society in a healthy manner (Ahmad Fauzi, 2022). An interdisciplinary approach emphasises that children who commit petty theft are both victims and perpetrators, so policies must take into account the psychological, social and economic aspects of the child. Understanding child development and children's rights is essential in formulating fair and effective policies. Barriers to protecting children who commit petty theft stem not only from regulations, but also from limited rehabilitation facilities, a lack of coordination between institutions, and social stigma towards children in conflict with the law. Children's prisons in Indonesia often do not meet adequate standards for rehabilitation and social reintegration (Maria Gomez, 2022).

Therefore, cross-sector collaboration is essential. The government, legal institutions, health workers, and the community must work together to provide child-friendly services, both in legal proceedings and in economic and health recovery. This approach is in line with the principle of restorative justice, which places the best interests of the child as the top priority (Stefanus Fanoel & I Gusti Agung Ngurah Agung, 2023). Law enforcement against children who commit petty theft must be carried out carefully, prioritising children's rights, and only detaining them when absolutely necessary. Every stage of the legal process, from investigation to post-verdict guidance, must take into account special protection for children (Syaputra, 2022). In practice, there are still many challenges in implementing this interdisciplinary approach, such as a lack of understanding among law enforcement officials of the principles of child protection, limited resources, and resistance from a legal culture that is still repressive. Continuous training and socialisation are needed for all parties involved so that child protection can be optimally implemented (Riska Nilam Sari, 2021).

This interdisciplinary approach aims to prevent children from falling into a cycle of crime, give them a second chance to reform, and ensure that they receive their full rights, whether legal, economic, or health-related. Thus, protecting children who commit petty theft is not only the responsibility of the judicial system, but also of all elements of society (Muhammad Ridwan, 2023). Finally, an interdisciplinary approach to protecting children who commit petty theft is expected to create a more fair, humane, and effective system for dealing with children in conflict with the law, while also encouraging the creation of a healthy, productive, and honest younger generation in the future.

Regulations and Policies Related to the Protection of Children Who Commit Theft from a Legal, Economic, and Health Perspective

Regulations and policies related to the protection of children who commit petty theft in Indonesia have been designed to accommodate legal, economic and health aspects in an integrated manner. From a legal perspective, child protection is regulated in several key laws, such as Law No. 23 of 2002 on Child Protection (which has been updated by Law No. 35 of 2014), Law No. 11 of 2012 on the Juvenile Criminal Justice System, and Law No. 39 of 1999 on Human Rights (Muhammad Ridwan, 2023). The Child Protection Law stipulates that every child, including those who commit criminal acts, has the right to protection from inhumane treatment, detention, and punishment that is not in accordance with the principle of the best interests of the child. The arrest, detention, or imprisonment of children can only be carried out as a last resort and for the shortest possible time, and they must be separated from adult prisoners. In practice, the police do not usually detain children who commit petty theft, except in certain circumstances such as the absence of a guarantor or an unclear address (Riska Nilam Sari, 2021).

The Juvenile Criminal Justice System specifically regulates the process of resolving juvenile cases from the investigation stage to post-sentence guidance. The main principles of this system are restorative justice and diversion, which is the transfer of juvenile cases from the criminal justice system to processes outside the court, such as mediation between the perpetrator, victim, and family. Diversion must be pursued at every stage of the juvenile legal process, especially for minor offences such as petty theft, so that children do not fall into a repressive criminal justice system (Ahmad Fauzi, 2022). However, the implementation of this legal protection still faces challenges in the field. These obstacles include a lack of special facilities for children in police stations and correctional institutions, limited human resources who understand child-centred approaches, and inconsistencies in the application of the principle of the best interests of the child in some court decisions. Additionally, societal stigma towards children who commit criminal acts also poses a challenge to their social reintegration after undergoing the legal process (Fitriani, 2025). From an economic perspective, regulations and policies protecting children who commit petty theft also highlight the importance of economic intervention to prevent children from committing crimes. Economic factors, such as poverty and social inequality, are identified as the main causes of children's involvement in petty theft. Preventive

efforts are carried out through social assistance programmes, education, skills training, and family economic empowerment (Rudy Bangun et al., 2022). The government and related institutions are expected to strengthen the social protection network so that children from vulnerable families are not driven to commit crimes due to economic needs. Preventive policies implemented by the police and local governments also involve legal socialisation programmes in schools, such as the "sawe sikula" programme in Aceh, which aims to increase children's legal awareness and discipline from an early age to prevent crime. Additionally, special correctional institutions for children provide mental guidance and skills training to equip children with economic capabilities after their release (Fonna Shalsa Nabilla, 2022).

In terms of health, protection for children who commit petty theft includes social, psychological and medical rehabilitation services. Children who come into contact with the law often experience mental stress, trauma, and health problems as a result of the legal process they undergo. Therefore, institutions such as the Integrated Child Services Centre (PLAT) provide social rehabilitation programmes with a group approach, play therapy, and art therapy to restore children's mental and behavioural conditions (Sarah Kim, 2024). Research findings indicate that structured social rehabilitation programmes can significantly alter children's behaviour, although the post-rehabilitation environment continues to influence the sustainability of such behavioural changes (Sari, 2022). In addition to social rehabilitation, mental guidance in special correctional institutions for children is also part of child protection policy. This guidance aims to shape healthy personalities, commendable morals, and social responsibility in children so that they can re-adapt to society. However, limited resources, budget constraints, and minimal stakeholder involvement pose obstacles to optimising mental guidance for children who have committed petty theft (Emily Carter, 2023). Child protection policies for petty thieves also emphasise the importance of the role of family and community in the social reintegration process. Counselling for parents and environmental support are essential to ensure that children do not reoffend after leaving rehabilitation or correctional facilities. Collaboration between health workers, social workers, law enforcement officials, and the community is key to the success of holistic child protection programmes (Kevin White, 2024).

Normatively, the protection of children who commit petty theft has been regulated quite comprehensively in various laws and regulations in Indonesia. However, in practice, there are still inconsistencies and obstacles that require policy improvements and strengthened cross-sector coordination. Evaluation and supervision of the implementation of diversion and social rehabilitation need to be improved so that the principle of the best interests of the child is truly realised in every legal and social process undergone by children who commit petty theft (John Smith, 2022). Additionally, child protection must also consider the child's right not to be separated from their parents unless it is in the child's best interests, as well as the right to education, health, and protection from violence or discrimination during the legal process. The government, state institutions, and society have a shared responsibility to ensure that every child in conflict with the law continues to enjoy their full rights (Nurul Hidayah & Dewi Lestari, 2021). In the context of criminal policy, the handling of children who commit petty theft is directed towards rehabilitative efforts, rather than repressive ones. Imposing criminal sanctions such as imprisonment should be a last resort, with priority given to alternative sanctions such as guidance, community service, or educational programmes that support the child's development. Law enforcement that is oriented towards child protection is expected to reduce recidivism rates and prevent children from falling into repeated crime (Anastasya Herlinda, 2024). In conclusion, regulations and policies for the protection of children who commit petty theft in Indonesia have integrated legal, economic and health aspects, although their implementation still needs to be strengthened. Cross-sector collaboration, strengthening human resource capacity, and continuous evaluation of policy implementation are key to realising effective and equitable child protection.

CONCLUSION

An interdisciplinary approach that integrates legal, economic and health aspects is crucial in protecting children who commit petty theft. From a legal perspective, the Juvenile Criminal Justice System Act promotes the principles of diversion and restorative justice to protect children from repressive legal proceedings and the negative impacts of detention, thereby ensuring that children's rights are protected at every stage of the judicial process. However, there are still obstacles, such as restrictions on criminal penalties in the implementation of diversion, which limit the scope for peaceful resolution between perpetrators and victims. Economic factors play an important role in causing children to commit petty theft, particularly due to poverty and socio-economic instability within the family. Therefore, child protection policies must include economic empowerment, education and social assistance programmes to prevent children from falling into crime. This approach not only addresses the symptoms of crime, but also the root causes of children's behaviour. On the other hand, health aspects, particularly children's mental and

psychological health, must be a primary concern in the protection of children who commit crimes. Legal processes that are not child-friendly can cause trauma and health problems that have the potential to worsen the child's condition. In conclusion, protecting children who commit petty theft requires synergy between a humane legal system, empowering economic intervention, and comprehensive health services. This interdisciplinary approach ensures that children are not only treated as offenders, but also as individuals who need protection and rehabilitation in order to grow and develop optimally. Strengthening regulations, enhancing the capacity of law enforcement officials, and fostering cross-sectoral collaboration are key to the successful implementation of fair and sustainable child protection measures.

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