



From Punitive Silence to Restorative Codification: A Comparative Analysis of Diversion for Children in Conflict with the Law under the Old Indonesian Criminal Code and Law Number 1 of 2023

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Abstract

Diversion constitutes a mechanism for resolving juvenile criminal cases outside the formal criminal justice process through a restorative justice approach. This article examines the normative transformation of diversion for children in conflict with the law by comparing the old Indonesian Criminal Code with Law Number 1 of 2023 on the Criminal Code. Under the old Criminal Code, diversion was not explicitly regulated, as the code was primarily oriented toward punishment, prosecution, and an adult-centered model of criminal liability. The regulation of diversion was therefore mainly developed through Law Number 11 of 2012 on the Juvenile Criminal Justice System. Law Number 1 of 2023 marks a significant shift by expressly placing diversion, measures, and penalties for children within the general structure of Indonesian criminal law. The new Criminal Code requires diversion to be attempted for offences punishable by imprisonment of less than seven years and that do not constitute recidivism, while also emphasizing non-custodial measures, child rehabilitation, and social reintegration. This development does not replace the Juvenile Criminal Justice System Law but strengthens its restorative logic by embedding child-sensitive principles into the national criminal law framework. The comparison shows a movement from punitive silence toward restorative codification, reflecting Indonesia's broader commitment to child protection, proportional accountability, recovery, and the best interests of children in conflict with the law.

Keywords: *Diversion; Juvenile Criminal Justice System; Restorative Justice; Indonesian Criminal Code; Children in Conflict with the Law.*

1. INTRODUCTION

The protection of children in conflict with the law is very important because children are still in the stage of physical and psychological development and, therefore, do not yet possess the same level of maturity in thinking as adults. Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia affirms that every child has the right to live, grow, and develop, as well as the right to protection from violence and discrimination. According to Satjipto Rahardjo, law fundamentally serves to protect society, particularly vulnerable groups that require special treatment in the law enforcement process.¹

The principle of the best interests of the child places the interests and future of the child as the primary consideration in every legal policy. This principle is contained in the Convention on the Rights of the Child, which Indonesia ratified through Presidential Decree Number 36 of 1990. Based on this principle, the handling of children in conflict with the law must prioritize protection, guidance, and social rehabilitation rather than punishment.² Therefore, the application of criminal law to children must differ from that applied to adults, considering that children still have significant opportunities to be guided and reintegrated into their social environment.

Modern criminal law paradigm shifts have also transformed the objectives of punishment from a retributive approach toward a rehabilitative and reintegrative approach. Muladi and Barda Nawawi Arief explain that modern punishment is not merely intended to inflict suffering on offenders but also to reform their behavior so they can be reintegrated into society. In the context of children, this approach is particularly important because formal criminal justice processes often produce negative impacts such as psychological trauma, social stigma, and disruption of children's mental development.³ Marlina states that children's involvement in formal judicial processes may increase the risk of reoffending due to exposure to criminal environments.⁴

As a reform within the juvenile criminal justice system, the concept of diversion emerged to divert juvenile cases away from formal criminal proceedings toward out-of-court mechanisms grounded in a restorative justice approach. Diversion emphasizes resolving cases through deliberation among offenders, victims, families, and the community to restore social relationships disrupted by criminal acts.⁵ According to Howard Zehr, restorative justice views criminal acts as social conflicts that must be collectively resolved and repaired, rather than merely as violations against the state that are resolved through punishment.⁶

Through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, the regulation of diversion in Indonesia began to obtain a clear legal basis. Prior to the enactment of the Juvenile Criminal Justice System Law (UU SPPA),⁷ the settlement of juvenile criminal cases is still referred to the old Criminal Code (KUHP), which was a product of Dutch colonial law and was more oriented toward a repressive and retributive justice approach. The enactment of the SPPA Law subsequently affirms the obligation to implement diversion at every stage of the examination of juvenile cases,

¹ Satjipto Rahardjo, *Hukum progresif: sebuah sintesa hukum Indonesia* (Yogyakarta: Genta Publishing, 2009)

² United Nations, *Convention on the Rights of the Child* (New York: United Nations, 1989).

³ Muladi and Barda Nawawi Arief, *Teori-teori dan Kebijakan Pidana* (Bandung: Alumni, 2010)

⁴ Marlina, *Juvenile Criminal Justice in Indonesia* (Bandung: Refika Aditama, 2012)

⁵ M. Nasir Djamil, *Anak Bukan untuk Dihukum : Catatan Pembahasan UU Sistem Peradilan Pidana Anak (UU-SPPA)* (Jakarta: Sinar Grafika, 2013)

⁶ Howard Zehr, *The Little Book of Restorative Justice* (Pennsylvania: Good Books, 2002)

⁷ Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

from investigation and prosecution to court proceedings, as a means of protecting children's rights within the criminal justice system.

Nevertheless, the implementation of diversion in practice still faces various obstacles. Based on data from the Indonesian Child Protection Commission⁸, in 2023 there were 3,883 cases of violations of children's rights, of which 1,866 cases fell under the category of special child protection related to children in conflict with the law.⁹ This high number indicates that the protection of children within the criminal justice system has not yet been implemented optimally. Furthermore, stated that the implementation of diversion has not been fully effective due to the persistence of punitive paradigms, limited understanding of restorative justice among law enforcement officers, and weak coordination among law enforcement institutions.

The reform of national criminal law through Law Number 1 of 2023 concerning the Criminal Code has become an important milestone in the reform of Indonesian criminal law. The National Criminal Code introduces a new paradigm that emphasizes humanitarian values, balance, and social restoration. According to Satjipto Rahardjo, progressive law must be capable of delivering substantive justice and of adapting to society's needs.¹⁰ In line with this view, Utomo, Hastuti, and Sa'dillah explain that the policies embodied in the National Criminal Code demonstrate a shift from a punitive to a rehabilitative and restorative approach, positioning criminal punishment as a last resort (*ultimum remedium*).¹¹ Based on these conditions, this study aims to analyze the regulation of diversion under the old Criminal Code and the National Criminal Code, and to examine its implications for the protection of children's rights within the Indonesian criminal justice system.

2. RESEARCH METHOD

This study employs normative legal research to examine the transformation of diversion regulation for children in conflict with the law within Indonesia's criminal justice system. The research focuses on legal norms, principles, doctrines, and statutory frameworks governing juvenile justice, particularly the relationship between diversion, restorative justice, child protection, and the principle of the best interests of the child. Two main approaches are applied: a statutory approach and a conceptual approach. The statutory approach is used to analyze and compare the relevant provisions of the old Indonesian Criminal Code, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, and Law Number 1 of 2023 concerning the Criminal Code. The conceptual approach is employed to clarify the theoretical foundations of diversion, restorative justice, proportional accountability, rehabilitation, social reintegration, and legal protection for children.

The legal materials used in this study include primary, secondary, and tertiary sources. Primary legal materials include statutory regulations related to criminal law and juvenile justice, particularly the old Criminal Code, Law Number 11 of 2012, and Law Number 1 of 2023. Secondary legal materials include scholarly books, journal articles, legal commentaries, research reports, and academic writings relevant to diversion and restorative justice. Tertiary legal materials, such as legal dictionaries and

⁸ Indonesian Child Protection Commission, "2023 National Coordination Meeting on Special Child Protection Supervision," accessed from KPAI.

⁹ Indonesian Child Protection Commission, "Child Protection Year-End Report 2023," accessed from KPAI, 2024.

¹⁰ Satjipto Rahardjo, *Legal Science* (Bandung: Citra Aditya Bakti, 2000), p. xx.

¹¹ WM Utomo, SY Hastuti, and R. Sa'dillah, "Reformulation of Handling of Child Criminal Offenders in the Transition Towards the National Criminal Code," *Lex Journal: Legal and Justice Studies* 10, no. 1 (2025): 27–37, <https://doi.org/10.25139/lex.v10i1.11471>.

encyclopedias, are used to support conceptual clarification. These materials were collected through library research and examined using qualitative legal analysis.

The analysis is conducted through a descriptive-analytical and comparative method. Descriptive analysis explains the legal position of diversion in each regulatory framework, while comparative analysis identifies normative shifts between the old Criminal Code and Law Number 1 of 2023. This method enables the study to assess whether the new Criminal Code merely accommodates diversion formally or substantively strengthens the restorative orientation of juvenile criminal justice. Through this methodological framework, the study seeks to provide a systematic, critical, and comprehensive understanding of the development of diversion regulation in Indonesian criminal law.

3. RESULTS AND DISCUSSION

a. Legal Regulation of Diversion in the Old Criminal Code

The old Criminal Code (KUHP) was a legal product inherited from the Dutch colonial era and was based on the retributive justice paradigm. Within this paradigm, punishment is understood as a form of suffering imposed upon offenders as a consequence of the unlawful acts they committed. The orientation of colonial criminal law placed greater emphasis on punishment and legal certainty than on the protection of offenders' rights, including those of children in conflict with the law.¹²

Normatively, the old Criminal Code did not regulate diversion as a mechanism for resolving juvenile cases outside the formal criminal justice process. Provisions regarding children were only contained in Articles 45, 46, and 47 of the old Criminal Code, which regulated sentence reduction or the return of children to their parents or to the government if the offender had not yet reached the age of sixteen years.

The absence of diversion regulations demonstrates that the criminal law system during the era of the old Criminal Code remained repressive in nature and had not prioritized a rehabilitative approach toward children. Children who committed criminal acts were still processed through the same stages of investigation, prosecution, and court examination as adult offenders. According to Irwan (2021), the criminal law system during that period did not provide adequate space for resolving juvenile cases through a non-penal approach, as the orientation toward punishment continued to emphasize formal sanctions.¹³

From the perspective of criminal law doctrine, the sentencing system under the old Criminal Code was influenced by the absolute, or retributive, theory (*vergeldungstheorie*), which views punishment as retaliation for the offender's wrongdoing, without considering aspects of rehabilitation or social reintegration. As a result, children were viewed more as criminals who had to be punished rather than as individuals who needed protection and guidance. Muladi and Barda Nawawi Arief explain that a punitive approach focused solely on retaliation may produce negative impacts on the psychological and social development of children because it neglects the aspect of legal protection for children as a vulnerable group.¹⁴

¹² Faisal and DP Rahayu, "Reformulation of Diversion Requirements: A Study of the Basic Ideas of the Juvenile Criminal Justice System," *Legal Issues* 50, no. 3 (2021): 331–338, <https://doi.org/10.14710/mmh.50.3.2021.331-338>.

¹³ Irwan, "Problems in Implementing Diversion for Child Narcotics Offenders," *Lex Renaissance* 5, no. 3 (2021): 527–542, <https://doi.org/10.20885/JLR.vol5.iss3.art2>.

¹⁴ Muladi and Barda Nawawi Arief, *Criminal Theories and Policies* (Bandung: Alumni, 2010)

The absence of a diversion mechanism in the old Criminal Code also weakened legal protection for children. Children who undergo formal criminal proceedings are vulnerable to psychological trauma, social stigma, and exclusion from society. According to labeling theory, being labeled as a criminal offender may affect a child's mental development and encourage the child to repeat deviant behavior as a consequence of the negative stigma imposed upon them.¹⁵ Furthermore, the system under the old Criminal Code was inconsistent with the principle of the best interests of the child because it prioritized punitive interests over protecting the child's future (Selang, 2016).

A paradigm shift in the juvenile criminal justice system began to emerge after the enactment of Law Number 3 of 1997 concerning Juvenile Courts. It was further strengthened through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). Article 1 point 7 of the SPPA Law explicitly states that diversion is the transfer of the settlement of juvenile cases from the criminal justice process to settlement outside the criminal justice system. Furthermore, Article 7, paragraph (1) of the SPPA Law mandates the implementation of diversion at every stage of juvenile case examination. The existence of these provisions demonstrates a shift in the orientation of juvenile criminal law in Indonesia from a retributive to a restorative justice approach, prioritizing the restoration of social relationships among offenders, victims, families, and society.¹⁶

b. Legal Regulation of Diversion According to Law Number 1 of 2023 concerning the Criminal Code

Law Number 1 of 2023 concerning the Criminal Code was enacted as part of the reform of Indonesia's national criminal law, replacing the Criminal Code inherited from the Dutch colonial era, which was considered no longer compatible with Indonesian society's development. The establishment of the National Criminal Code was intended not only to renew the codification of criminal law but also to build a legal system grounded in the values of Pancasila, human rights, and humanitarian principles. Unlike the old Criminal Code, which tended to emphasize punishment, the National Criminal Code adopts a more humanistic approach by focusing on rehabilitation and social restoration. The reform of the National Criminal Code reflects a shift in criminal law's orientation from a retributive paradigm toward rehabilitation and the social reintegration of criminal offenders.¹⁷

This paradigm shift has been influenced by the development of modern sentencing theories, which view punishment not merely as a means of retaliation (retributive theory), but also as an instrument for reforming offenders' behavior and maintaining social balance. Under the relative theory (relative theory), the objective of punishment is directed toward the prevention of criminal acts and the rehabilitation of offenders so that they may return to living properly within society. Muladi and Barda Nawawi Arief emphasize that modern criminal law must prioritize a balance between the protection of society, the rehabilitation of offenders, and social utility. This concept is reflected in the National Criminal Code, which positions punishment as a means of resolving conflicts and restoring social relationships, rather than merely inflicting suffering on offenders.

¹⁵ IM Firdauz, "Resolving Cases of Children as Criminal Perpetrators through a Restorative Justice Approach," *Legal Panorama Journal* 4, no. 2 (2019): 124-134, <https://doi.org/10.21067/jph.v4i2.3950>

¹⁶ L. Ferdiles, "Legal Reform in the Implementation of Restorative Justice in the National Criminal System," *Lex Publica* 5, no. 1 (2018): 45-59, <https://doi.org/10.58829/lp.2.1.2018.115>.

¹⁷ WM Utomo, SY Hastuti, and R. Sa'dillah, "Reformulation of Handling of Child Perpetrators of Violent Theft in the Transition Towards the National Criminal Code," *Lex Journal: Legal and Justice Studies* 10, no. 1 (2026): 27-37, <https://doi.org/10.25139/lex.v10i1.11471>.

In the context of child protection, the National Criminal Code provides stronger support for the implementation of restorative justice and diversion within the legal protection system for children in conflict with the law. Although the specific regulation of diversion remains governed by Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, the restorative justice values embodied in Law Number 1 of 2023 concerning the Criminal Code further reinforce the importance of resolving juvenile cases through a non-penal approach. The doctrine of restorative justice views criminal acts as social conflicts whose resolution requires the restoration of relationships among offenders, victims, families, and society.¹⁸ Therefore, the restorative approach prioritizes dialogue, deliberation, and social responsibility over formal punishment.

The strengthening of diversion within the National Criminal Code is also closely related to the theory of legal protection, which positions law as a means of protecting vulnerable groups, including children. Children are viewed as individuals who are still in the stage of mental and psychological development and therefore require special treatment within the criminal justice system. Satjipto Rahardjo stated that law must be capable of providing protection and substantive justice for society, particularly for socially and psychologically vulnerable groups. In this context, diversion becomes an important instrument to protect children from the negative impacts of formal criminal justice proceedings, such as psychological trauma, social stigma, and exposure to criminal environments.

The regulation of diversion in the National Criminal Code is closely connected to the principle of the best interests of the child, which originates from the Convention on the Rights of the Child and was ratified through Presidential Decree Number 36 of 1990. This principle emphasizes that every policy children must prioritize the best interests of the child's growth and development, thereby positioning criminal punishment as a last resort (*ultimum remedium*) while prioritizing guidance and the social reintegration of children. Faisal and Rahayu (2021) state that the strengthening of diversion constitutes a form of protection of children's rights within Indonesian criminal law. Furthermore, from a progressive perspective, the enactment of the National Criminal Code demonstrates an effort to reform criminal law in a more humanistic direction by emphasizing substantive justice, social restoration, and the protection of children's rights through the application of restorative justice principles.

The implementation of diversion within the framework of the National Criminal Code also provides broader opportunities for law enforcement officers to resolve juvenile cases through deliberation mechanisms and non-penal approaches. The resolution of cases through diversion aims to prevent children from entering formal criminal proceedings while simultaneously achieving fairer outcomes for offenders, victims, and society. According to Firdauz (2019), the restorative justice approach within the juvenile criminal justice system is considered more effective than a repressive approach because it emphasizes restoring social relationships and the moral responsibility of offenders rather than merely imposing punishment.¹⁹

¹⁸ L. Ferdiles, "Legal Reform in the Implementation of Restorative Justice in the National Criminal System," *Lex Publica* 5, no. 1 (2018): 45–59, <https://doi.org/10.58829/lp.2.1.2018.115>.

¹⁹ IM Firdauz, "Resolving Cases of Children as Criminal Perpetrators through a Restorative Justice Approach," *Legal Panorama Journal* 4, no. 2 (2019): 124–134, <https://doi.org/10.21067/jph.v4i2.3950>.

c. Comparison of the Legal Regulation of Diversion in the Old Criminal Code and Law Number 1 of 2023

The comparison of diversion regulations between the old Criminal Code and Law Number 1 of 2023 concerning the Criminal Code demonstrates significant changes in the paradigm of Indonesian criminal law regarding children in conflict with the law. The old Criminal Code, inherited from Dutch colonial law, remained oriented toward retributive justice, framing punishment as a form of retaliation against criminal offenders. Within this system, children continued to be processed through the formal criminal justice system and were viewed as offenders who had to be punished. In contrast, Law Number 1 of 2023 concerning the Criminal Code introduces a more rehabilitative and restorative approach by emphasizing the protection of human rights and the development of children within the national sentencing system.²⁰

Under the old Criminal Code, diversion was not explicitly regulated, so juvenile cases were resolved entirely through formal criminal justice procedures. Provisions concerning children were limited only to sentence reductions based on age, as regulated in Articles 45, 46, and 47 of the old Criminal Code. This condition indicates that the colonial criminal law system did not adequately address child protection or case settlement through non-penal approaches. In contrast, Law Number 1 of 2023 concerning the Criminal Code strengthens the application of restorative justice values that had previously been developed in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. Although the regulation of diversion remains governed under the SPPA Law, the National Criminal Code supports the resolution of juvenile cases through focused approaches on restoration, guidance, and social reintegration.

| Aspect | The Old Criminal Code KUHP | Law No. 1 of 2023 |
|---|----------------------------------|--|
| Paradigm of Punishment | Retributive | Restorative and Rehabilitative |
| Diversion Settings | Not Set | Supporting Restorative Justice |
| Child Protection | Limited | More Humanistic And Progressive |
| Purpose of Criminalization | Revenge | Recovery and Coaching |
| Child Position | Object of Punishment | Protected Subject |
| Settlement Approach | Formal and Repressive | Non-Penal and Restorative |
| Principle Of The Best Interest Of The Child | Not a Priority Yet Main Means | Become The Basis For Child Protection <i>Ultimum Remedium</i> |
| Crimes Against Children | | |

A fundamental difference can also be seen in the objectives of punishment adopted by the two legal systems. The old Criminal Code was more closely aligned with the absolute, or retributive, theory (*vergeltungstheorie*), which views punishment as a consequence of the offender’s wrongdoing. In contrast, Law Number 1 of 2023 concerning the Criminal Code is more influenced by the relative theory (relative theory) and the combined theory, which positions punishment as a means of protecting society, preventing criminal acts, and rehabilitating offenders. Muladi and Barda Nawawi

²⁰ GC Simanjuntak, E. Siregar, and Y. Monita, “Criminal Law Policy on Law Number 11 of 2012 concerning the Juvenile Criminal Justice System: Reformulation of the Limits of Criminal Sanctions for Juvenile Perpetrators of Serious Crimes,” *PAMPAS: Journal of Criminal Law* 6, no. 3 (2025): 405–421, <https://doi.org/10.22437/pampas.v6i3.48521>.

Arief explain that modern criminal law no longer focuses solely on punishment but must also address the rehabilitation and social reintegration of offenders. In the context of children, this approach is consistent with the theory of legal protection and the principle of the best interests of the child, which prioritize protecting children's growth and development while positioning punishment as a last resort (*ultimum remedium*).²¹

Although the strengthening of diversion within the National Criminal Code demonstrates progressive development, its implementation still faces various obstacles. Some of the challenges frequently encountered include the lack of understanding among law enforcement officers regarding the concept of restorative justice, limited supporting facilities, and minimal community participation in the diversion process. In addition, there remains a tendency to use repressive approaches in resolving juvenile cases. Therefore, it is necessary to strengthen coordination among law enforcement institutions, improve law enforcement officers' capacity, and enhance public understanding of the importance of diversion as a means of protecting children's rights within the Indonesian criminal justice system.

4. CONCLUSION

The legal regulation of diversion for children in conflict with the law was not explicitly addressed in the old Criminal Code because the criminal law system in force at that time was still based on the retributive justice paradigm, which placed greater emphasis on punishment and sentencing through formal judicial proceedings. As a result, legal protection for children had not been implemented optimally and did not fully take into account psychological aspects, rehabilitation, and the best interests of the child. Meanwhile, the enactment of the National Criminal Code demonstrates a shift in Indonesia's national criminal law policy toward a more rehabilitative and restorative approach by strengthening the application of restorative justice values in the resolution of juvenile cases. However, the specific provisions regarding diversion remain regulated under the SPPA Law. This transformation reflects the development of Indonesian criminal law, which no longer positions children solely as criminal offenders who must be punished, but rather as individuals who must be protected, guided, and rehabilitated through non-penal approaches that prioritize the protection of children's rights, the principle of the best interests of the child, the restoration of social relationships, and the reintegration of children into society to create a juvenile criminal justice system that is more humane, progressive, and just.

References

- Djamil, M. Nasir. *Anak Bukan untuk Dihukum: Catatan Pembahasan UU Sistem Peradilan Pidana Anak (UU-SPPA)*. Jakarta: Sinar Grafika, 2013.
- Faisal, and D. P. Rahayu. "Reformulation of Diversion Requirements: A Study of the Basic Ideas of the Juvenile Criminal Justice System." *Legal Issues* 50, no. 3 (2021): 331-338. <https://doi.org/10.14710/mmh.50.3.2021.331-338>.

²¹ SN Hidayati, "The Influence of Organizational Leaders' Hard and Soft Approaches on Employee Job Satisfaction and Strike Potential," *Jurnal Maksipreneur: Manajemen, Koperasi, dan Entrepreneurship* 5, no. 2 (2016): 57-66, <http://dx.doi.org/10.30588/SOSHUMDIK.v5i2.164>.

- Ferdiles, L. "Legal Reform in the Implementation of Restorative Justice in the National Criminal System." *Lex Publica* 5, no. 1 (2018): 45–59. <https://doi.org/10.58829/lp.2.1.2018.115>.
- Firdauz, I. M. "Resolving Cases of Children as Criminal Perpetrators through a Restorative Justice Approach." *Legal Panorama Journal* 4, no. 2 (2019): 124–134. <https://doi.org/10.21067/jph.v4i2.3950>.
- Hamzah, A. *Principles of Criminal Law*. Jakarta: Rineka Cipta, 2018.
- Hidayati, S. N. "The Influence of Organizational Leaders' Hard and Soft Approaches on Employee Job Satisfaction and Strike Potential." *Jurnal Maksipreneur: Manajemen, Koperasi, dan Entrepreneurship* 5, no. 2 (2016): 57–66. <http://dx.doi.org/10.30588/SOSHUMDIK.v5i2.164>.
- Indonesia. *The 1945 Constitution of the Republic of Indonesia*.
- Indonesia. *Law Number 1 of 2023 concerning the Criminal Code*.
- Indonesia. *Law Number 11 of 2012 concerning the Juvenile Criminal Justice System*.
- Indonesian Child Protection Commission. "Child Protection Year-End Report 2023." KPAI, 2024.
- Indonesian Child Protection Commission. "National Coordination Meeting for Supervision of Special Child Protection in 2023." KPAI, 2023.
- Irwan. "Problems in Implementing Diversion for Child Drug Offenders." *Lex Renaissance* 5, no. 3 (2021): 527–542. <https://doi.org/10.20885/JLR.vol5.iss3.art2>.
- Marlina. *Juvenile Criminal Justice in Indonesia*. Bandung: Refika Aditama, 2012.
- Marzuki, P. M. *Legal Research*. Revised ed. Jakarta: Kencana Prenada Media Group, 2017.
- Muladi, and Barda Nawawi Arief. *Teori-Teori dan Kebijakan Pidana*. Bandung: Alumni, 2010.
- Rahardjo, Satjipto. *Hukum Progresif: Sebuah Sintesa Hukum Indonesia*. Yogyakarta: Genta Publishing, 2009.
- Rahardjo, Satjipto. *Legal Science*. Bandung: Citra Aditya Bakti, 2000.
- Selang, W. "Efforts to Reform the Juvenile Criminal Justice System in Indonesia." *Lex Crimen* 5, no. 1 (2016): 120–128. <https://doi.org/10.35796/les.v5i1.10599>.
- Simanjuntak, G. C., E. Siregar, and Y. Monita. "Criminal Law Policy regarding Law Number 11 of 2012 concerning the Juvenile Criminal Justice System: Reformulation of the Limits of Criminal Sanctions for Juvenile Perpetrators of Serious Crimes." *PAMPAS: Journal of Criminal Law* 6, no. 3 (2025): 405–421. <https://doi.org/10.22437/pampas.v6i3.48521>.
- Soekanto, S., and S. Mamudji. *Normative Legal Research: A Brief Review*. Jakarta: Rajawali Pers, 2015.
- United Nations. *Convention on the Rights of the Child*. New York: United Nations, 1989.
- Utomo, W. M., S. Y. Hastuti, and R. Sa'dillah. "Reformulation of the Handling of Child Criminals in the Transition towards a National Criminal Code." *Lex Journal: Legal and Justice Studies* 10, no. 1 (2025): 27–37. <https://doi.org/10.25139/lex.v10i1.11471>.
- Utomo, W. M., S. Y. Hastuti, and R. Sa'dillah. "Reformulation of the Handling of Child Perpetrators of Violent Theft in the Transition to the National Criminal Code." *Lex Journal: Legal and Justice Studies* 10, no. 1 (2026): 27–37. <https://doi.org/10.25139/lex.v10i1.11471>.
- Zehr, Howard. *The Little Book of Restorative Justice*. Pennsylvania: Good Books, 2002.

