

Reform of the Juvenile Justice System Regarding the Age Limit for Criminal Responsibility**Yose Desman, Ahmad Redi**

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Abstract

This study examines the legal reform of the age limit for criminal responsibility of children within Indonesia's juvenile justice system, focusing on Law No. 11 of 2012, which sets a minimum age of 12 years. The research delves into the historical and legal evolution of juvenile justice in Indonesia, highlighting key legislative milestones and the impact of international conventions such as the Convention on the Rights of the Child. It also analyzes previous regulations affecting child protection and considers how legal reforms have aimed to balance accountability with the principle of the best interests of the child. Additionally, the study explores the adoption of the restorative justice approach as an alternative to punitive measures, emphasizing rehabilitation over retribution. Despite notable progress, the findings reveal persistent challenges in implementing these reforms, underscoring the need for stronger institutional frameworks and enhanced collaboration among relevant stakeholders to ensure comprehensive child protection.

Keywords : Legal Reform, Age Limit for Criminal Responsibility, Children**INTRODUCTION**

The protection of children's rights within the justice system is an extremely important aspect, given that children are a vulnerable group in need of special attention and protection from actions that may harm their physical, mental, and social development. In law, children's rights must be recognized and guaranteed in accordance with the UN Convention on the Rights of the Child, which emphasizes that children have the right to protection, education, and appropriate rehabilitation (Sandberg, 2018). A justice system oriented towards the protection of children's rights aims not only to uphold justice but also to ensure that the legal process does not have negative impacts on the children involved, whether as perpetrators, victims, or witnesses. With a restorative approach, the justice system can help children understand the consequences of their actions while still providing support and guidance for a better future, avoiding stigma and labeling that could hinder their reintegration into society.

Cases of juvenile delinquency in Indonesia are not a new issue that has emerged recently (Suharto, 2021). One incident that captured public attention occurred in early September 2013, when Indonesia was shocked by news of an accident involving Abdul Qodir Jaelani (Dul), the third son of renowned musicians Ahmad Dhani and Maia Estianty. The accident resulted in the loss of six lives and left nine others injured. This

event quickly became a topic of public controversy, and the media extensively reported on the criminal liability that AQJ, who was only 13 years old at the time, would have to face (Geyh, 2020). The question of criminal responsibility in this case posed a challenge for law enforcement and various institutions overseeing children's rights, especially since the incident occurred during the transition between Law Number 3 of 1997 on Juvenile Courts and Law Number 11 of 2012 on the Juvenile Criminal Justice System. These two laws contain different provisions, particularly regarding the age limit for criminal responsibility of children.

As a country that ratified the Convention on the Rights of the Child in 1990, Indonesia has an obligation to promote and protect children's rights as individuals. One important aspect of the law is the establishment of the age limit for criminal responsibility, which serves as the basis for assessing the criminal law applied to children (Cipriani, 2016). In Indonesia, guidelines on the age limit for criminal responsibility for children have been outlined in various legislative regulations, including the Criminal Code (KUHP), the Juvenile Court Law, and the Juvenile Criminal Justice System Law. The establishment of this age limit is a crucial element because it directly influences how the law views children involved in criminal acts, whether as perpetrators or as victims (Henry & Powell, 2016).

The change in the age limit for children's criminal responsibility reflects the government's efforts to better understand and address issues of juvenile delinquency and children in conflict with the law (Feld, 2017). With this regulatory change, it is hoped that better protection can be provided for children, taking into account their psychological and social aspects. The government needs to carefully consider this regulation so that it not only punishes but also provides appropriate rehabilitation and education for these children. Over time, there needs to be ongoing dialogue between the government, society, and institutions concerned with children's rights, so that policies can be developed that strike a balance between law enforcement and the protection of children's rights. This is an important step toward creating a more effective and responsive judicial system that meets the needs of children in Indonesia (Grijns & Horii, 2018).

The juvenile justice system in Indonesia currently faces a number of complex issues. One major problem is the misalignment between existing regulations and practice on the ground. Many children find themselves caught in long and exhausting legal processes, often without a sufficient understanding of their rights (Sarat, 2017). In many cases, children in conflict with the law do not receive adequate legal assistance, preventing them from effectively defending themselves. Additionally, the negative stigma attached to children involved in the justice system can have serious repercussions for their psychological and social development. Many of them feel isolated and ignored by society, which in turn can exacerbate their behavior in the future.

The impact of the existing age limit for criminal responsibility has also become a major point of concern (Yaffe, 2018). In Indonesia, this age limit is set at 12 years, but the strict application of criminal law against children below this age can lead to injustices. Children involved in criminal acts often come from challenging social backgrounds,

where environmental, familial, and educational factors contribute to their behavior. The overly harsh application of the law, without considering rehabilitation and education, can lead to long-term detrimental consequences. In many cases, these children may become further marginalized, making them more vulnerable to reoffending (Vitopoulos et al., 2019).

A review of the laws and regulations governing the juvenile justice system in Indonesia shows efforts to improve the protection of children's rights. Law Number 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA) is a step forward in adopting a more restorative approach, focusing on rehabilitation rather than punishment. This law addresses various aspects, from prevention, law enforcement, to the rehabilitation of children. However, challenges remain in its implementation, particularly regarding the awareness and training of law enforcement personnel, who often do not adequately understand this more humane approach (Dwivedi et al., 2023). The necessary reforms include enhancing the capacity of law enforcement and related institutions to implement the principles contained in the Juvenile Criminal Justice System Law (UU SPPA). This includes training for judges, police officers, and social workers so that they can handle children's cases more sensitively and in accordance with the context of children. Additionally, strengthening cooperation between the government and civil society organizations is crucial to provide support for children involved in the justice system. Policies that support rehabilitation and social reintegration of children, as well as the provision of adequate psychological and educational services, should be a priority in any reforms undertaken (Skempes et al., 2022).

Given these concerns, this study seeks to explore a restorative approach within the juvenile justice system that prioritizes recovery and education. The novelty of this research lies in integrating psychological support with rehabilitation programs tailored to children's specific needs. The proposed framework emphasizes minimizing negative social and psychological consequences by fostering a supportive environment (Domitrovich et al., 2017).

The social impact of the existing justice system on children and society is quite significant. Children involved in legal processes often experience social stigma that alienates them from their surroundings. This stigma not only affects the children but also their families, creating broader social tensions. Society often views these children as lawbreakers, despite the fact that they may merely be victims of difficult circumstances. As a result, these children lose the opportunity to engage in healthy social interactions and reintegrate back into their communities. The psychological impact on children involved in the justice system cannot be overlooked (LeVezu, 2018). Many children experience trauma due to the stressful legal processes and the stigma that accompanies them. They may suffer from anxiety, depression, and other mental health issues, which, if not addressed, can have long-term effects on their lives. A more restorative approach to the juvenile justice system, focusing on recovery and education, is essential to minimize these negative impacts. Furthermore, consistent psychological support and

rehabilitation programs tailored to meet the children's needs must be implemented to help them heal and develop positively after being involved in legal proceedings.

RESEARCH METHOD

The normative legal research method is an analytical approach focusing on legal norms within a legal system, emphasizing how these norms are interpreted and applied in practice. In this research, a legislative approach is employed to examine various regulations related to the juvenile justice system in Indonesia, such as the Criminal Code (KUHP), Law Number 3 of 1997 on Juvenile Courts, and Law Number 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA). This method enables a detailed exploration of the legal framework by identifying and analyzing existing legal provisions, while also assessing their implementation against international standards, such as the Convention on the Rights of the Child.

To enhance the depth of analysis, a conceptual approach is also applied, focusing on core concepts such as children's rights, criminal responsibility, and rehabilitation. This dual-method approach provides a more robust analytical framework, facilitating a clearer understanding of how legal norms function within the juvenile justice system. By integrating legislative and conceptual perspectives, the research aims to draw well-rounded conclusions on the effectiveness of legal protections for juveniles and propose improvements aligned with international human rights principles.

RESULTS AND DISCUSSION

The Application of the Age Limit for Criminal Responsibility of Children in the Justice System in Indonesia

The age limit for children's criminal responsibility has evolved from provisions in the Criminal Code (KUHP) to Law Number 3 of 1997 on Juvenile Courts, and subsequently to Law Number 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA). Several aspects underpin this change, which can be categorized into philosophical, juridical, and historical ideas. One of the major shortcomings of the KUHP is the absence of a minimum age limit for children's criminal responsibility, while the Beijing Rules acknowledge the existence of an age limit for juvenile criminal responsibility. Furthermore, the KUHP does not provide explanations regarding the institutions that are responsible for supporting child protection in the legal context, and it contains provisions that are overly simplistic and not aligned with the complex developments in Indonesian society. Given that the KUHP was established in an earlier era, many of its provisions emphasize retributive theories, causing specific provisions governing juvenile criminal law, such as Articles 45, 46, and 47, to be removed and replaced by the Juvenile Courts Law, which is more suitable for the current context.

Law Number 3 of 1997 on Juvenile Courts stipulates that a child is deemed criminally responsible after reaching the age of 8 but not yet 18 years old and has never been married. Several philosophical ideas underpinning this age limit include the understanding that psychologically, children at this age already possess a sense of

responsibility. Additionally, there are also mitigating reasons for children who commit crimes but are under 8 years old, as well as increased legal protection for children. Legislators who drafted the Juvenile Courts Law believe that an 8-year-old is sufficiently sociologically, psychologically, and pedagogically capable of being held accountable for their actions. In the explanation of the law draft, the importance of considering the unique characteristics of children is emphasized, requiring differential treatment and legal sanctions to provide appropriate guidance in the rehabilitation and protection processes.

The historical reform of this law was also influenced by government efforts in 1957, which sent experts from various departments abroad to gain insight into special treatment for children who commit crimes. These ideas were later materialized in various working meetings to draft the Bill on Juvenile Justice. However, the journey of the Juvenile Courts Law was not entirely smooth, as ultimately the law was put to the test in the Constitutional Court (MK). In the Constitutional Court Decision Number I/PUU-VIII/2010, there was a ruling partially granting the application, including regarding the age limit for criminal responsibility established at 12 years old.

In response to this, the government issued Law Number 11 of 2012 on the Juvenile Criminal Justice System, which established a new age limit for criminal responsibility at 12 years, but still under 18 years. Several philosophical ideas underpinning this age limit include considerations that adolescence is a critical period for a child's development, during which they remain vulnerable to environmental influences. The restoration and diversion approaches more suitable for implementation in the context of juvenile criminal law are also emphasized, aiming to avoid stigmatization of children in conflict with the law (Sinatrio, 2019). Furthermore, this law states that although children aged 12 may undergo legal processes, they should not lose their freedom as a form of punishment until they reach 14 years old.

The change in the age limit for children's criminal responsibility has adopted several important juridical ideas, leading to updates in various existing regulations. One of the main influences in setting this age limit is the recommendation from the General Comment of the UN Committee on the Rights of the Child No. 10 of 2007, which encourages countries to raise the minimum age for criminal responsibility from 12 years to a higher age. Additionally, the Convention on the Rights of the Child underscores the need to protect children's rights within the context of criminal law, while The Beijing Rules provide a framework regarding the provisions for the age limit of child criminal responsibility. In Indonesia, the provisions stipulated in Article 28B paragraph (2), Article 28G, and Article 28I of the 1945 Constitution concerning the protection of human rights also serve as an essential foundation in this discussion. Law Number 39 of 1999 on Human Rights, which emphasizes the protection of human rights and states that punishment for children should be the last resort (*ultimum remedium*), further strengthens the legal framework supporting this change. Additionally, Law Number 23 of 2002 on Child Protection also adds to the arguments for the necessary shift in this age limit provision. Moreover, the Constitution Court's ruling in Decision Number I/PUU-

VIII/2010, which establishes the age limit for children's criminal responsibility at 12 years, provides legal validation for the desired changes in the juvenile justice system.

From a historical perspective, several factors also influence the shift in the age limit for children's criminal responsibility in the Juvenile Criminal Justice System Law (UU SPPA). The UN Committee, in its recommendations, emphasizes the importance of raising the age limit for responsibility. UNICEF also recommends that this age limit be set above 14 years. Most international conventions and legal standards recognize 14 years as a generally accepted age limit in the context of juvenile criminal law, making it part of customary law. In debates regarding marital status, there is consensus that such status cannot be used as a measure of maturity for those under 18 years. The Constitutional Court ruling and discussions in the draft documentation of the UU SPPA provide deeper context regarding the considerations underlying this age limit.

In Law Number 11 of 2012 on the Juvenile Criminal Justice System, the setting of the new age limit for children's criminal responsibility at 12 years aims to reflect the best interests of the child. This principle is reiterated throughout the discussions surrounding the UU SPPA. With this shift in age limit, there are no longer criteria of "unmarried" as previously established, thus making this provision more inclusive and non-discriminatory. This is in line with the rights protected in the Declaration on the Rights of the Child, which emphasizes that children must be protected from any form of discrimination. In this context, Article 1 Paragraph 3 of the UU SPPA asserts that treatment of children must not be discriminatory, as outlined in Article 2 Paragraph 1 of the Convention on the Rights of the Child.

Provisions in the UU SPPA also stipulate that children aged 12 can only be examined for decision-making actions, not as part of the criminal judicial process. As stated in Article 21 Paragraph 1 of the UU SPPA, if a child under 12 commits or is suspected of committing a crime, the decision must be taken by investigators, community facilitators, and professional social workers to return them to their parents or involve them in educational and rehabilitative programs. The explanation of this article emphasizes that the examination is not within the context of the criminal justice process but serves as a basis for decision-making, stressing the importance of child rehabilitation (Steinberg, 2017). This indicates that the principle of deprivation of liberty should be a last resort, providing children with a chance to improve. This provision aligns with the principle in the Convention on the Rights of the Child, which states that the detention of children should be carried out as a last resort and for the shortest possible time.

The UU SPPA also regulates that children under 14 cannot be sentenced, and actions imposed on them are solely rehabilitative. Article 69 Paragraph 2 of the UU SPPA states that children under 14 can only be subject to actions, not penalties. This means that those who can be punished are those aged 14 to 18. With this arrangement, the law explicitly separates between actions and penalties, further reducing the likelihood of a child being criminally punished. Furthermore, the restorative justice and diversion approach becomes an integral part of the juvenile justice system, reinforcing the goal of rehabilitation and reducing stigma for children in conflict with the law. This provision

reflects the principle that punishment should be minimized, in line with the spirit contained in The Beijing Rules, which emphasizes using institutionalization or incarceration only as a last resort.

Shortcomings in the law often reflect the complexity and dynamics within the justice system. One of the major shortcomings is the injustice in law enforcement. Despite the law's goal of protecting individuals' rights and creating justice, there is often bias in law enforcement. Factors such as social, economic, or racial status can influence how the law is applied. For instance, individuals from less privileged backgrounds often do not have the same access to legal assistance, rendering them more vulnerable to discriminatory treatment in the justice process (Bridges, 2018). This creates gaps in justice where some individuals receive better protection than others, contradicting the principle of egalitarianism that should underpin the law.

Another shortcoming in the law is the uncertainty that arises from ambiguities in regulatory provisions. When the law is unclear or overly general, it can lead to varying interpretations among law enforcement and courts. This situation often results in uncertainty for citizens in understanding their rights and obligations. This lack of clarity can also lead to potential abuse of power by authorities, who may make decisions not aligned with the spirit of the law. For example, complex and convoluted laws can complicate citizens' understanding of the regulations, leading to doubt in acting according to the law.

Furthermore, the law often fails to keep pace with rapid societal developments. In the era of digitalization and globalization, many new issues arise, such as cybercrime, privacy violations, and environmental concerns. However, the law often adapts slowly to these new challenges. This delay results in legal vacuums where illegal acts cannot be prosecuted due to the lack of clear regulations. This situation can provoke public dissatisfaction with the law, as they feel that the law is not relevant to the actual conditions they face. Therefore, continuous efforts are needed to update and reform the law to meet the demands of the times and provide appropriate protection for society.

The inadequacies in the law are also often marked by a lack of transparency and accountability in law enforcement processes. Many countries face challenges related to corruption among law enforcement officials, which can undermine the integrity of the judicial system (Arsad, 2023). When individuals in power use their positions for personal gain, it erodes public trust in the legal system. Corruption can create situations where justice cannot be achieved, and the public feels that the law only protects those with power and resources. Thus, efforts to enhance transparency and accountability in law enforcement are crucial to rebuilding public trust in the law and the justice system.

Legal Reform on the Age Limit for Criminal Responsibility of Children in the Justice System in Indonesia

The legal reform concerning the age limit for criminal responsibility of children in Indonesia represents a significant step in the effort to protect children's rights and create a more humane system of justice. Alongside the evolving understanding of human rights and the need for child protection, Law No. 11 of 2012 on the Juvenile Criminal Justice

System changed the age limit for criminal responsibility from 8 years to 12 years. This change not only reflects Indonesia's commitment to the Convention on the Rights of the Child and other international standards but also reinforces the principle of the best interests of the child, which serves as the foundation for all policies related to child protection. Amid social, cultural, and legal challenges, this reform aims to establish a more responsive and rehabilitative justice system, where children are not merely viewed as lawbreakers but as individuals who deserve the opportunity to grow and develop positively.

The history and evolution of laws related to the age limit for criminal responsibility in Indonesia reflect a shift in thinking about child protection and a more humane form of justice. Since the enactment of the Criminal Code (KUHP) in 1946, the provisions regarding the age limit for criminal responsibility established a minimum age of 8 years. However, these provisions did not include clear explanations regarding child protection agencies, creating a gap in the protection of children's rights. The application of the KUHP was deemed overly simplistic and not relevant to the social and psychological development of children, which resulted in minors involved in legal issues often being treated as adult offenders (Suwardana et al., 2024). Discontent with these provisions spurred the introduction of various regulations that more effectively addressed rehabilitative aspects and the protection of children's rights, particularly with the issuance of Law No. 3 of 1997 on Juvenile Courts. While this law set the age limit for criminal responsibility at 8 years, it still faced criticism regarding the need to reform this limit to better align with child protection principles.

The impact of previous regulations was significant, as many children confronted with the law did not receive adequate protection. Many were processed legally without taking into account their psychological and social development, which should be primary considerations in law enforcement. In this context, an approach that prioritizes retributive theory in sentencing does not provide appropriate solutions for rehabilitating children and often exacerbates their situations, leading to prolonged social stigma. This indicates a fundamental need for a change in how the justice system addresses children in conflict with the law.

International conventions, such as the Convention on the Rights of the Child adopted by the UN in 1989, have also provided impetus for legal reforms in Indonesia. This convention emphasizes the importance of protecting children's rights, including those in conflict with the law. It encourages countries to adopt more child-friendly policies while considering their psychological and social conditions in every legal process. The assertion of principles in this convention prompted Indonesia to evaluate and update its legal provisions, leading to the enactment of Law No. 11 of 2012 on the Juvenile Criminal Justice System. In this law, the age limit for criminal responsibility was raised to 12 years, reflecting the recognition that children below this age do not fully possess the capacity to be held legally accountable.

Law No. 11 of 2012 on the Juvenile Criminal Justice System marks a crucial milestone in legal reform in Indonesia, especially in the protection of children's rights.

This law explicitly sets the age limit for criminal responsibility at 12 years, showcasing the government's commitment to adhere to international child protection standards. The articles within this law cover various essential aspects, including restorative and diversionary approaches aimed at avoiding the criminalization of children and providing better rehabilitation opportunities. For instance, Article 21 stipulates that children under 12 years cannot be subjected to criminal sanctions but can only be processed through non-punitive actions more oriented toward education and rehabilitation.

The age limit for criminal responsibility of children in Indonesia is set at 12 years, as stipulated in Law No. 11 of 2012 on the Juvenile Criminal Justice System. This age determination is an important step in recognizing that children below this age do not fully possess the ability to account for their actions under the law. With this minimum age limit, the state seeks to protect children from harsh legal proceedings and provide greater attention to rehabilitation rather than punishment. This aligns with the principles of child protection established in various international conventions, such as the Convention on the Rights of the Child, which emphasizes the need for recognition of children's special needs in legal processes (Tobin, 2019).

The decision-making process for children under 12 years differs significantly from that for children who have reached the age of 12. In this regard, investigators, community facilitators, and social workers play a crucial role in determining the appropriate actions for children involved in criminal behavior. Investigators cannot process children under 12 within the context of criminal law; instead, they will refer the case to community facilitators and social workers to arrive at more rehabilitative decisions. These decisions may include returning the child to their parents, participation in educational programs, or rehabilitation in social institutions. Such actions aim to avoid stigma and the negative impacts of the criminal justice system and to provide children with the necessary guidance for their development.

Principle of the Best Interests of the Child

The principle of the best interests of the child is one of the foundations of the legal system governing child protection (Breen, 2021). In legal contexts, this principle underscores that every decision made should consider its impact on the well-being of the child. In the reform of the age limit for criminal responsibility, this principle is clearly reflected. By establishing the age limit for criminal responsibility at 12 years, the legal system not only protects children from detrimental legal processes but also ensures that their rights as developing individuals are considered. Prominent cases, such as the Constitutional Court's ruling to raise the age limit for responsibility, demonstrate that the consideration of the best interests of the child has become an integral part of the legislative process in Indonesia.

In practice, the application of the principle of the best interests of the child is highly relevant. For example, when a child is involved in criminal behavior, the decisions made do not solely revolve around legal aspects but also consider the child's social, economic, and psychological background. Cases where children involved in crimes are sentenced to prison risk isolating them from social environments that should support their

development. Thus, integrating the best interests principle into every step of the legal process is key to achieving effective rehabilitation and avoiding long-term negative consequences.

The concept of restorative justice is gaining traction within the context of the juvenile criminal justice system. This approach focuses on repairing relationships between the offender, the victim, and the community rather than merely punishing the offender. In practice, the implementation of restorative justice involves mediation between the juvenile offender and the victim, as well as the broader community, to reach an agreement that is fair and satisfactory to all parties. This not only helps the child understand the consequences of their actions but also provides the victim with an opportunity to engage in the healing process. The implementation of restorative justice in the juvenile criminal justice system in Indonesia is an important step toward a more humane and rehabilitative approach.

Diversion also plays a crucial role in preventing children from undergoing formal legal processes. Diversion refers to efforts to resolve cases outside of the judicial process using non-punitive approaches, such as counseling or rehabilitation. In the UU SPPA, diversion is sought before prosecution and trial, aiming to provide second chances for children. Case studies in various regions demonstrate that the application of this approach has successfully reduced the number of children entering the juvenile justice system while improving the rates of rehabilitation and reintegration into the community. Successful exemplars of this approach can be seen in several community programs that support children involved in criminal acts, showing that justice can be achieved without excessively punishing the child.

Despite the legal reforms established, challenges in implementation remain. One of the significant barriers is the readiness of legal and social institutions to implement Law No. 11 of 2012. Many investigators, community facilitators, and social workers have not yet been fully trained in the new, more rehabilitative and restorative approaches. This potentially leads to inconsistencies in law enforcement, where children could still be treated uniformly like adult offenders. Additionally, the lack of resources and government support remains a significant issue affecting the effective implementation of these reforms. Social, economic, and cultural issues also influence the effectiveness of legal reform. Social stigma against children involved in criminal behavior often makes their reintegration into society challenging. Many children face difficulties accessing education and employment after getting involved in legal issues, which can lead to recidivism. Furthermore, unstable economic conditions may affect parents' ability to provide the necessary support for their children. Therefore, a holistic and comprehensive approach is needed to address these various challenges and ensure that legal reforms can be effectively implemented.

The impact of legal reform on children involved in the juvenile justice system can be viewed from both positive and negative perspectives. On the positive side, with the new age limit for responsibility, children under 12 are no longer subjected to legal processes that could damage their psyche. This reform paves the way for a more humane

approach to handling cases involving children, thereby reducing social stigma and providing opportunities for rehabilitation. However, challenges persist, and some children still experience negative consequences from the existing system, including issues related to reintegration into society. The influence of reform on public perception of child offenders is also significant. With heightened awareness of the need for child protection and rehabilitation, it is hoped that the public will better understand that children involved in criminal acts often stem from unsupportive social environments. Statistics show that when rehabilitative approaches are applied, the success rate of reintegrating children into society increases, which in turn reduces recidivism rates. However, data also indicate that there is still stigma attached to these children, which can hinder their rehabilitation process. Therefore, educational programs aimed at changing public attitudes and supporting these reform efforts are necessary.

In order to enhance the effectiveness of Law No. 11 of 2012 and the juvenile criminal justice system in Indonesia, several recommendations can be made. It is essential to improve the training and capacity of investigators, community facilitators, and social workers to enable them to implement more rehabilitative and restorative approaches. Better legal education regarding children's rights and protections should also be introduced into legal education curricula to raise awareness among law enforcement officials. Strengthening the role of child protection agencies within the justice system is crucial. These agencies should have adequate access and resources to provide necessary support for children involved in legal issues. Moreover, community involvement in supporting children in conflict with the law should be encouraged through community programs that facilitate rehabilitation and reintegration. By adopting a more holistic and comprehensive approach, Indonesia can ensure that the legal reforms undertaken genuinely provide protection and justice for children.

Despite progress in legal reforms, there remain critical gaps in understanding how effectively these measures are implemented across different regions of Indonesia. Empirical studies evaluating the impact of training programs for law enforcement officials and social workers are limited. Moreover, little research exists on the accessibility and effectiveness of community-based rehabilitation initiatives and how they influence recidivism rates among juvenile offenders. Another research gap involves the degree to which child protection agencies collaborate with the legal system to ensure children's rights are upheld during legal proceedings.

Addressing these research gaps has significant implications for policy development and legal practice in Indonesia. Comprehensive evaluations of training programs can inform the design of more effective curricula for law enforcement and social workers. Investigating the functionality and resource allocation of child protection agencies can guide reforms that ensure these agencies play a stronger, more supportive role in the juvenile justice system. Additionally, studies on community-based rehabilitation programs can provide insights into best practices for reducing recidivism and enhancing reintegration processes. Ultimately, evidence-based research can strengthen Indonesia's

efforts toward building a more rehabilitative and restorative juvenile justice system that ensures the protection and well-being of children in conflict with the law.

CONCLUSION

The legal reform regarding the age limit for criminal responsibility of children in Indonesia reflects the country's commitment to protecting children's rights and promoting rehabilitation over punishment. Establishing the minimum age of 12 years as the age of criminal responsibility is a significant step that embodies the principle of the best interests of the child. By involving investigators, community facilitators, and social workers in the decision-making process for children below this age, the legal system aims to avoid the stigma often attached to children involved in criminal acts. The restorative justice and diversion approaches integrated into the law provide a more humane and rehabilitative alternative, facilitating the restoration of relationships between juvenile offenders, victims, and the community.

However, challenges in the implementation of these reforms remain, particularly regarding the readiness of institutions and social issues that affect the effectiveness of the law. Society needs to be better educated about child protection and rehabilitation to change the negative stigma surrounding children in conflict with the law. By strengthening legal education, training for law enforcement officials, and the role of child protection agencies, Indonesia can more effectively implement these reforms and ensure that every child has the opportunity to grow and develop well, regardless of the mistakes they may have made in the past

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