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Research Article

Beyond Procedural Exit: Integrating Therapeutic Jurisprudence into Indonesia's Juvenile Diversion Framework

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ABSTRACT

This research is grounded in the fact that Indonesia's Juvenile Criminal Justice System Act (Law No. 11/2012) formalizes diversion, yet it defines success only as a procedural departure from formal adjudication. The aim of this study is to incorporate therapeutic jurisprudence into the framework so that diversion shifts from a simple binary case-disposal tool to a legally delimited recovery process. The method employed is doctrinal legal research, using statutory, conceptual, and comparative approaches. The findings indicate that a procedural exit frequently occurs alongside coercion and untreated trauma. Comparative analysis of models from New Zealand, Canada, England, and Australia shows that qualitative justice depends on designing flexible legal safeguards, specifically through a six-safeguard Therapeutic-Restorative Diversion Model, to reconcile discretionary enforcement with children's rights. The conclusions are that Indonesian reform should not assess diversion solely through administrative completion rates, but instead through therapeutic quality, compliance with rights, and sustainable reintegration backed by inter-agency standards.

Keywords: Therapeutic Jurisprudence; Restorative Justice; Diversion; Child-Centred Justice

A. INTRODUCTION

Indonesia's juvenile justice reform is often described as a decisive movement away from retribution and toward restorative justice. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (Sistem Peradilan Pidana Anak or SPPA) expressly requires the system to prioritise restorative justice and obliges diversion at the investigation, prosecution, and trial stages for offences meeting the statutory threshold. The enactment represented a significant correction to the earlier model in which the child was too readily absorbed into adult-like criminal procedure. Its normative direction also resonates with the constitutional protection of children and the Convention on the Rights of the Child (CRC) (Republic of Indonesia, 2012).

However, a thorough evaluation must distinguish between the presence of restorative procedures and the quality of the restorative experience. Although Indonesian law formally mandates diversion at all levels of law enforcement, existing empirical literature shows that implementation often faces administrative

bottlenecks and lacks standardized qualitative assessment. Consequently, the authors infer a potential institutional risk: A child may formally complete diversion due to adult dominance in meetings or institutional pressure to close files without achieving substantive rehabilitation. This risk is not merely theoretical. Indonesian scholars warn that diversion may be reduced to avoiding imprisonment rather than realizing child welfare (Priamsari, 2018; Multiwijaya et al., 2026).

The issue becomes more pressing after the wider transition in Indonesian criminal law that came into effect on 2 January 2026. Law Number 1 of 2023 on the Criminal Code (KUHP) now sets out a national penal philosophy that explicitly introduces conflict resolution and the restoration of social equilibrium, whereas Law Number 20 of 2025 on the Criminal Procedure Code (KUHAP) establishes the renewed procedural setting in which the SPPA Act functions as lex specialis (Republic of Indonesia, 2023). International evidence likewise warns against treating restorative justice as synonymous with any informal settlement. Updated meta-analytic findings suggest that restorative programmes can reduce subsequent juvenile offending, particularly when they emphasize high-fidelity accountability and interpersonal safety, but their effectiveness declines sharply when programmes are handled as mere administrative quotas (Kimbrell et al., 2023).

To remedy this structural shortfall, this article proposes the diagnostic category of "procedural exit." Within interdisciplinary legal research, procedural exit works alongside Therapeutic Jurisprudence (TJ) frameworks to characterize system success as removing a child from ordinary adjudication without ensuring that the child understood the process or experienced a therapeutic voice. Using a TJ perspective, this idea demonstrates how procedural completion does not, by itself, guarantee relational repair or psychological well-being.

To address this in a systematic manner, the article sets out a multi-layered analytical framework. In this synthesis, Therapeutic Jurisprudence (TJ) functions as the core analytical framework for assessing the psychological and emotional effects of legal rules and legal actors. Restorative justice provides the primary normative aim of relational repair (Johnstone & Van Ness, 2013). At the same time, procedural justice promotes fairness in the exercise of authority and informs legal socialisation. In addition, developmental science is applied to calibrate the child's internal capacity. Finally, desistance perspectives account for the longer-term aspects of reintegration and well-being (Putri, 2019).

Ultimately, the article seeks to develop a legal design that is doctrinally compatible with Indonesia. By proposing a six-safeguard Therapeutic-Restorative Diversion Model (TRDM), the study concludes that legal actors can reduce anti-therapeutic effects and shift the

paradigm from simple procedural compliance to substantive therapeutic completion.

To assess this framework, the study uses doctrinal legal research grounded in statutory, conceptual, and comparative approaches. Indonesian legislation is reviewed chronologically in order to trace the development and structure of the legal framework regulating juvenile diversion, especially under the SPPA Act. New Zealand, Canada, England and Wales, and Australia are chosen as comparative jurisdictions because their juvenile justice systems involve distinct institutional arrangements and safeguards related to restorative practices, child participation, and reintegration. These jurisdictions are analyzed in functional terms to identify principles that could be adapted to Indonesia's legal framework.

Research on juvenile diversion and restorative justice in Indonesia has progressed through multiple viewpoints, from institutional law enforcement and compliance with children's rights, to geographic and infrastructural constraints, and the interactions among court actors. Ghoni and Pujiyono examined the implementation of juvenile diversion by focusing on structural law enforcement and inter-agency synchronization under the SPPA Act. Their findings suggest that structural alignment across law enforcement agencies is essential to keep children from entering formal adjudication and to discontinue enduring retributive practices (Ghoni & Pujiyono, 2020). Unlike that study, which emphasized macro-level institutional coordination, this research instead examines the child's internal, psychological dynamics throughout the legal process by applying a Therapeutic Jurisprudence (TJ) lens to evaluate the quality of the diversion experience.

Muliani, Satria, and Yusuf likewise developed a perspective grounded in statutory and structural requirements by analyzing the formal eligibility prerequisites for diversion alongside the geographic distribution of child protection infrastructure. Their work shows that strict legal boundaries and the absence of local community infrastructure frequently compel judges to select formal imprisonment rather than diversionary options (Muliani et al., 2023). Unlike previous studies, this one does not advocate a structural redesign of legal eligibility criteria or the expansion of local institutions. Instead, it offers a practical, procedural blueprint of the Therapeutic-Restorative Diversion Model (TRDM) to optimise the existing legal architecture through qualitative safeguards.

Furthermore, Ristama and Nugroho specifically examined the link between statutory restorative justice requirements and the development of children's character within international human rights frameworks. The study treats diversion as a key mechanism for satisfying the state's duties under the Convention on the Rights of the Child (CRC) related to child welfare (Ristama & Nugroho, 2026). This research reorients attention from their macro-level human rights discussion to micro-level procedural

dynamics by proposing "procedural exit" as a particular failure risk: human rights standards may be satisfied on paper, yet the participant's actual emotional well-being is overlooked.

In the international context, Richards, Bartels, and Bolitho identify the conduct of court actors as an essential variable in youth justice, demonstrating that judicial officers' personal attitudes and communication styles operate as the primary gatekeeping factors for therapeutic outcomes. Their results show that a supportive, non-intimidating courtroom setting substantially lowers legal cynicism and future recidivism among young people (Richards et al., 2017). The distinction is that Richards, Bartels, and Bolitho's work is grounded in Western children's courts with broad judicial discretion, whereas this study examines how therapeutic indicators are translated into Indonesia's civil law tradition, positioning TJ rules within stringent statutory constraints so they do not devolve into unstructured judicial discretion.

Meanwhile, Kimbrell, Wilson, and Olaghere examine the quantitative boundaries of restorative interventions using a thorough global meta-analysis. Their findings indicate that the effectiveness of restorative justice depends heavily on implementation fidelity, and they caution that coercive apologies or mishandled encounters can produce serious anti-therapeutic trauma for both children and victims (Kimbrell et al., 2023). Who argue that trauma-informed youth justice research must use broader outcome measures than recidivism alone (Day et al., 2023). The novelty of this article, compared with these established streams of global and national scholarship, is its design-focused synthesis: rather than offering yet another general endorsement of restorative principles, this study uniquely develops a six-safeguard Therapeutic-Restorative Diversion Model (TRDM) specifically suited to the Indonesian civil law tradition, distinguishing procedural completion from substantive therapeutic completion across the pre-conference, conference, and post-agreement stages.

B. RESEARCH METHODS

This research employs doctrinal legal research to examine Indonesia's juvenile diversion framework and the integration of Therapeutic Jurisprudence (TJ) into its implementation. It uses three approaches: the statutory approach, the conceptual approach, and the comparative approach.

The statutory approach examines the legal framework governing juvenile justice and diversion in Indonesia, particularly Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and other relevant legislation. The conceptual approach analyses the principles of Therapeutic Jurisprudence, restorative justice, procedural justice, and child-centred justice. Meanwhile, the comparative approach examines juvenile diversion frameworks in New Zealand, Canada, England and Wales, and Australia to

identify relevant principles and procedural safeguards that may be adapted to Indonesia.

The research is descriptive-analytical, aiming to describe the applicable legal framework and analyse normative issues concerning the substantive implementation of juvenile diversion, particularly child participation, voluntariness, victim protection, and reintegration. The legal materials consist of primary and secondary legal materials collected through library research and document study (Muhaimin, 2020).

The collected legal materials are analysed qualitatively through normative legal analysis, statutory interpretation, and comparative analysis. The analysis examines the substance and structure of relevant legal frameworks to identify similarities, differences, and applicable safeguards. The findings are then synthesised to formulate the Therapeutic-Restorative Diversion Model (TRDM) as a proposed framework for strengthening Indonesia's juvenile diversion system.

C. RESULTS AND DISCUSSION

1. The Procedural-Exit Problem in Indonesian Juvenile Diversion

The SPPA Act redirects juvenile justice from retribution toward mandatory diversion, highlighting the involvement of children, victims, and families in promoting relational repair. This framework aligns with the CRC's instruction to resolve juvenile matters without formal court proceedings while safeguarding human rights (United Nations Committee on the Rights of the Child, 2019). At the same time, institutional pressure to favor administrative efficiency may narrow diversion to a procedural case-closure tool, so that exiting the process becomes an insufficient indicator of success. Diversion should instead be designed to secure genuine child understanding, emotional safety, and support following the conference. Accordingly, the best-interests principle calls for structured assessment rather than adult-centered presumptions, while preserving a balance among victims' rights, public safety, and procedural safeguards (United Nations Committee on the Rights of the Child, 2013).

This tension is reflected in Article 7(2) of the SPPA Act, which limits diversion to non-recidivist offences punishable by less than seven years' imprisonment. Although this threshold offers legal certainty, formal eligibility does not necessarily mean the child is prepared to participate (Nugroho & Pujiyono, 2022). Trauma, intimidation, or family conflict may render an eligible matter unsuitable for direct conferencing, and restorative practices may still be pertinent in cases that cannot be diverted during formal proceedings. Separating eligibility from readiness is therefore vital to protect voluntariness, because children must comprehend the legal consequences of diversion rather than accept it simply to avoid detention. International standards require free and voluntary consent and the right to withdraw (United Nations Economic and Social

Council, 2002). A TJ-informed process should therefore incorporate teach-back procedures and private consultation with counsel to prevent participation that is coerced. Likewise, apologies should facilitate restoration only when they are voluntary; imposed apologies may instead become humiliating. As Braithwaite (1989) notes, disapproval of wrongful conduct can be constructive when it is paired with personal respect and reintegration, whereas stigmatizing shame may entrench a deviant identity.

Safeguards should also protect the interests of victims and their families. Victims need safety planning and freedom from pressure to forgive; indirect restorative processes or community repair should be considered where direct contact is unsuitable. Likewise, family involvement requires relational assessment to ensure that parental dynamics do not reproduce trauma or coercion. These protections are especially important because adolescents may face constraints in adjudicative competence when exposed to authority pressure, making specialised safeguards necessary in their dealings with state institutions (Cunneen et al., 2018).

The procedural-exit problem may also persist even after an agreement has been reached. Duties that ignore practical constraints, including school access and financial resources, increase the risk of non-compliance and renewed penal consequences. Reintegration requirements must therefore correspond to each child's actual capacity. Under Law Number 22 of 2022, the Community Research Report (Litmas) prepared by the Balai Pemasyarakatan (Bapas) can link legal decisions with realistic reintegration plans by identifying children's strengths rather than focusing only on their deficits (Republic of Indonesia, 2022a). In the end, Indonesia's restorative framework calls for a more robust quality-control architecture to secure substantive outcomes. Procedural exit should thus signal the start of evaluation, not its end.

2. Therapeutic Jurisprudence as Substantive Completion of Restorative Justice

Therapeutic Jurisprudence (TJ) explores how legal rules, processes, and participants influence well-being, with the goal of minimising anti-therapeutic effects while preserving legal safeguards. Emerging from mental health law in the late 1980s, TJ has since broadened into criminal justice through a problem-solving orientation that highlights participation, respect, and voluntariness in order to enable behavioural change (Winick, 2003). In juvenile diversion, this approach assesses not only whether legal outcomes are warranted, but also how they affect children's dignity and their future conduct. Incomprehensible language, compelled disclosure of trauma, premature direct confrontation with victims, and dismissive facilitators can inflict avoidable emotional harm and weaken engagement, even when imprisonment does not occur. Consequently, institutional culture and interpersonal practices are as influential as formal legal rules in generating therapeutic outcomes

(Lens, 2016). These aims align with child-friendly justice standards, which stress accessible information, meaningful participation, and procedures tailored to children's age and maturity (Council of Europe, 2010).

Meaningful participation is also crucial for durable compliance. Self-determination theory treats autonomy, competence, and relatedness as the basis for internalised behaviour (Ryan & Deci, 2017), thereby supporting bounded choices, practical reparative measures, and duties that foster personal development. Accordingly, active restorative accountability should prioritise repairing harm rather than relying on passive punishment, while taking into account adolescents' reduced culpability and strengthening their future competence through proportionate limits (Scott & Steinberg, 2008). Such interventions must also safeguard children's legal standing and support their social and economic reintegration (Wijaningsih et al., 2026). TJ also endorses trauma-sensitive, strengths-based diversion: trauma should shape procedural design to avoid retraumatisation, enable suitable services, and evaluate outcomes beyond recidivism (Malvaso et al., 2024). Adopting trauma-informed protocols may reduce legal cynicism among vulnerable children. Strengths-based practices can encourage social acceptance and prosocial resources, such as education, sports and mentoring, rather than reinforcing offender identities (Muema & Kawalek, 2024).

Finally, TJ treats the post-agreement review as part of substantive completion. Administrative or Bapas-led reviews should check service accessibility and permit lawful modifications, rather than treating agreement validation as the end point (Wexler & Winick, 1996). Such oversight can lessen non-compliance and legal uncertainty. Nonetheless, TJ must not use mandatory treatment to justify compulsion, must not override the presumption of innocence, must not authorise facilitators to diagnose children, and must not silence them through paternalistic intervention. Substantive completion is reached only when meaningful participation, safety, harm reduction, and a workable reintegration pathway are demonstrably secured.

3. Comparative Lessons: From Conference Architecture to Child-First Reintegration

Comparative legal analysis must be approached with caution against uncritical legal transplants, because New Zealand, Canada, England and Wales, and Australia have distinct institutional histories, Indigenous–state relations, and welfare structures. Their experiences, instead, provide design principles that can be adapted to Indonesia's SPPA framework. New Zealand illustrates how the Oranga Tamariki Act 1989 institutionalizes family group conferences by linking family participation, plan formation, and legal recognition (New Zealand Parliament, 1989). The transferable insight is that Indonesian diversion should result in a structured, legally recognized reintegration plan with clearly

allocated responsibilities, rather than a settlement document filled with vague promises. Rangatahi Courts further show the need for cultural legitimacy through community participation and cultural connectedness (Ministry of Justice New Zealand, 2016). In Indonesia's plural society, culturally responsive diversion is relevant so long as customary involvement safeguards children's rights, gender equality, and protection from degrading treatment. The Youth Criminal Justice Act (YCJA) introduced by Canada adds a complementary principle, requiring that non-judicial measures, including warnings, cautions and community referrals, be considered before formal prosecution. This reflects the reduced culpability of young people and the importance of timely intervention (Government of Canada, 2002).

Canadian law also stresses voluntariness and access to legal advice by requiring that young people receive full information and give free consent to extrajudicial sanctions. Indonesia could therefore introduce mandatory certification of informed participation to confirm genuine understanding, especially among young or traumatized children who may face pressure from adults. Any adaptation should avoid piecemeal copying and instead align comparative principles with the domestic civil law hierarchy to maintain legal certainty (Sirait & Cahyaningtyas, 2019). England and Wales offer another lesson via the Youth Justice Board's Child First framework, which prioritizes a prosocial identity, collaboration, and avoidance of stigma-producing contact (Youth Justice Board for England and Wales, 2026). This approach is pertinent for Indonesia because diversion should prevent criminal labeling from becoming a child's dominant identity. Desistance research likewise indicates that sustained change depends on positive self-reconstruction and social recognition, not merely fear of punishment (Nugent & Schinkel, 2016). Accordingly, Indonesian Litmas and diversion records should record strengths and needs rather than focus exclusively on risk factors. More broadly, shifting juvenile processing from risk management toward strengths-based identity construction can improve the long-term effectiveness of non-custodial interventions (Hobbs et al., 2025).

Australia's youth conferencing, particularly in New South Wales, underscores the importance of facilitator competence, inclusive participation, and adequate preparation, rather than rigid adherence to meeting formats (Bolitho, 2017). Indonesia should therefore set professional competency standards for diversion facilitators that cover child-sensitive communication, trauma awareness, power imbalances, victim safety, and procedural law. Taken together, these protections and structured post-conference follow-up can enhance institutional resilience against implementation failures (Keith, 2025).

Table 1. Comparative Architecture of Juvenile Diversion Safeguards

Country	Core Design Principles	Transferable Safeguards for Indonesia

New Zealand	Institutional centering of family group conferences and indigenous cultural authority (Oranga Tamariki Act 1989).	Transforming diversion agreements into legally legible, resource-backed reintegration plans integrated with local customary (adat) institutions.
Canada	Graduated extrajudicial sanctions tied strictly to statutory consent and pre-conference counsel consultation (YCJA 2002).	Implementing a mandatory independent certification of informed participation to protect the voluntariness of minors.
England & Wales	Child First policy framework prioritizing pro-social identity construction over administrative risk labeling.	Embedding a dedicated "strengths-and-needs" analysis within the Community Research Report (Litmas) by Bapas.
Australia	Trauma-informed juvenile justice practices emphasizing child safety, developmental needs, and protection from retraumatization.	Establishing mandatory professional standards for diversion facilitators covering child psychology and trauma awareness.

Source : Authors' formulation, based on New Zealand Parliament (1989), Government of Canada (2002), Case et al., (2020), Case and Haines (2021), and Branson et al., (2017).

Within Indonesia's institutional setting, Canada's informed consent certification and England's strengths-needs analysis in Litmas can realistically be transplanted through straightforward amendments to Bapas or Supreme Court guidelines (SEMA). By contrast, New Zealand's indigenous Rangatahi Courts and Canada's decentralized community-referral infrastructure cannot be transplanted because Indonesia's strict civil-law hierarchy, unified judiciary, and sharply uneven regional funding make such transfer impracticable.

The particular novelty of this Therapeutic Jurisprudence (TJ) model is that it applies to complex Indonesian offenses driven by deep psychological factors, including juvenile narcotics abuse (Article 127 Law 35/2009), cyber-bullying (Article 27 Paragraph 3 ITE Law), and vehicular manslaughter by minors (Article 310 Traffic Act). Although conventional procedural completion falls short when it disregards digital shaming or trauma in these specific offenses, incorporating the TRDM model supports a rights-compliant, substantive resolution that systematically prevents future recidivism.

4. The Therapeutic-Restorative Diversion Model (TRDM)

The proposed Therapeutic-Restorative Diversion Model (TRDM) functions as a quality framework built alongside existing Indonesian juvenile justice law, while leaving statutory eligibility thresholds unchanged. It organizes legally eligible cases through six sequential qualitative safeguards. The first safeguard is developmental screening, carried out jointly by the community guidance adviser (Pembimbing Kemasyarakatan) and the police investigator before the formal conference starts. This assessment includes a structured review of the child's immediate communication abilities, intellectual maturity relevant to legal understanding, the presence of cognitive disabilities, urgent mental health or trauma symptoms, and an analysis of external family coercion or peer pressure. Research on adolescent development suggests that psychosocial maturity develops unevenly and may be undermined by stress and pressure from authority (Case et al, 2020). Second, child-appropriate participation with informed consent

replaces simple yes/no questions by using teach-back procedures, so that minors and victims understand their rights, available options, and the boundaries of confidentiality. Third, trauma-sensitive conferencing reduces threat responses through separate preparatory meetings, tailored seating arrangements, and structured safety planning (Branson et al., 2017). Fourth, relational accountability distinguishes responsibility from public humiliation, rejecting forced apologies and instead emphasizing genuine, proportionate repair rather than moral performance. This strategic change helps ensure that child protection mechanisms remain strong within the system (Rochaeti et al., 2023a).

Fifth, individualized reintegration planning requires a specific "reintegration clause" that assigns practical obligations for schooling, vocational training, or counseling to named institutions, with realistic timelines, preventing the system from placing all burdens exclusively on the child. Sixth, after the agreement is reached, a therapeutic review creates a brief 30-to-90-day Bapas monitoring feedback loop to assess access to services and to make lawful modifications without reopening factual guilt.

Table 2. Therapeutic-Restorative Diversion Model

Stage	Current Legal Focus	TRDM Safeguard	Minimum Reviewable Indicator
Pre-conference	Eligibility, scheduling, parties	Developmental screening	Communication needs, support person, safety concerns and service needs recorded
Pre-conference	Consent to participate	Informed child-appropriate participation	Teach-back of rights, options and consequences; access to counsel documented
Conference	Dialogue and agreement	Trauma-sensitive conferencing	Safety/participation adaptations and voluntariness recorded
Conference	Responsibility and repair	Relational accountability	No compelled apology; repair linked to identified harm and proportionality
Agreement	Terms and completion	Individualised reintegration planning	Child, family and state obligations separated; services and timelines identified
Post-agreement	Formal compliance	Therapeutic review	Service access, reintegration, victim commitments and necessary modifications reviewed

Source: Authors' formulation, synthesising Law Number 11 of 2012, Government Regulation Number 65 of 2015, Supreme Court Regulation Number 4 of 2014, and the therapeutic-restorative safeguards developed in this article.

The TRDM converts the diversion record from routine procedural conformity into explicit evidence that qualitative safeguard enforcement is being carried out. Because the record is subject to review, it provides supervisors with structured discretion, along with criteria that guide disciplinary judgment while avoiding disclosure of confidential therapeutic details. As a result, outcome assessments shift their focus away from recidivism towards broader procedural, restorative and developmental indicators, confirming that a fair process is a primary institutional outcome in itself. Implementing a secure digital administrative system can strengthen this approach, as long as case-management architectures reduce the

inclusion of sensitive psychological inputs and strictly apply Law No. 27/2022 on Personal Data Protection to avoid generating lasting algorithmic shadows over minors (Republic of Indonesia, 2022b). Automated monitoring should be used to support care coordination rather than to expand high-risk state surveillance databases (Sulistyo et al., 2021). Most importantly, the TRDM distinguishes subjective emotional transformation from legal closure; completion must remain strictly linked to satisfying the terms of the lawful agreement, thereby protecting personal liberty while also requiring improved institutional practice. This balanced legal boundary systematically prevents net-widening and supports long-term operational resilience during post-conference supervision (Case & Haines, 2021).

5. Rights Safeguards, Victim Protection and the Limits of Therapeutic Power

Incorporating therapeutic jurisprudence (TJ) into criminal procedure calls for safeguards against benevolent coercion. The Therapeutic-Restorative Diversion Model (TRDM) rejects an unconstrained parens patriae stance by making legality, proportionality, and reviewability firm, non-negotiable limits. First, the presumption of innocence bars imposing confessions as a prerequisite for less punitive outcomes. Canadian extrajudicial sanctions demonstrate the importance of clearly defined responsibility, voluntary consent, and legal advice (Government of Canada, 2025). Indonesia should similarly ensure that preparatory restorative discussions cannot be treated as substantive evidence if diversion does not succeed, thereby averting coercion and safeguarding children's procedural rights (Darmawan et al., 2016). Second, proportionality requires reintegration plans to be tailored to the offence and the child's shown needs, which prevents excessive control and net-widening under the Beijing Rules (United Nations General Assembly, 1985). Third, victim-sensitive procedures must offer choices concerning safety, support, and participation, without placing on victims any responsibility for rehabilitating children.

Fourth, economic equality requires non-monetary reparative options so that children from disadvantaged families are not treated as less accountable simply because they cannot afford restitution (Willis, 2020). Fifth, the Convention on the Rights of Persons with Disabilities (CRPD) mandates reasonable accommodation for disability and communication barriers through accessible formats and specialist assistance (United Nations, 2006). Sixth, customary and community practices may enhance legitimacy, but they must not sustain discrimination, corporal punishment, or public shaming, since cultural participation remains governed by human rights safeguards (Cunneen & Tauri, 2016). Seventh, confidentiality should separate procedural legal records from protected service-coordination records, preventing sensitive trauma and family information from being absorbed into permanent

criminal records, in line with the Havana Rules (United Nations General Assembly, 1990a).

Eighth, professional role clarity requires police, prosecutors, and Bapas officers to use therapeutic communication without assuming the authority of therapists or clinical practitioners. These boundaries limit arbitrary power and safeguard the trust, self-efficacy, and social inclusion that juvenile justice aims to cultivate. Taken together, the safeguards strengthen the restorative framework and reduce operational failures in post-conference legal oversight (Smith, 2021).

6. Implementing the Model Within Indonesia's 2026 Criminal-Law Architecture

Implementation should adhere to the lex specialis principle by keeping the SPPA Act as the specialised framework for children, while the KUHP and the new KUHAP supply the wider penal and procedural backdrop. The new KUHAP, which takes effect on 2 January 2026, creates an opportunity to align procedural training, information on rights, and diversion practices across law-enforcement institutions (Republic of Indonesia, 2025). Within this design, the TRDM links administrative processes, institutional responsibilities, and community-based services with judicial safeguards.

A layered regulatory approach can embed most safeguards through existing instruments before considering amendments to the SPPA Act. The Supreme Court could revise or supplement PERMA Number 4 of 2014 to incorporate child-comprehension checks, victim-readiness assessments, proportionality, and reintegration provisions (Republic of Indonesia, 2014). The Attorney General's Office and the National Police could then harmonise their diversion standards accordingly, while the ministry responsible for corrections could strengthen Bapas and Litmas guidance through strengths-based assessments, service mapping, and post-agreement reviews. Inter-agency protocols could set up referral pathways and minimum service responsibilities. These steps demand professional development, especially for Pembimbing Kemasyarakatan, police investigators, and facilitators. The TRDM offers a reviewable framework so that Litmas and diversion records become auditable safeguards for children's rights (Turisno et al., 2021). Staff should be competent in child communication, recognising power imbalances, conducting sensitive dialogue, supporting victim choice, making specialist referrals, and crafting proportionate agreements, bearing in mind that legal actors may generate therapeutic or anti-therapeutic effects (King et al., 2014).

Institutional incentives should also extend beyond agreement rates by evaluating rights explanations, access to counsel, and post-agreement follow-up. Legal compliance must include realistic service capacity, identified providers, timelines, and contingency plans, supported by a standardised therapeutic-restorative impact note. Specialised safeguards are required for complex cases involving violence,

cyberbullying, and sexual harm. For children below twelve, welfare-oriented, non-penal responses under Government Regulation Number 65 of 2015 (Republic of Indonesia, 2015) should remain the priority to minimise institutionalisation (Nowak, 2019). Implementation should also involve schools to prevent exclusion through coordinated disciplinary and restorative practices, and digital evidence must be handled with data minimisation to protect victim privacy in line with personal data protection requirements (Republic of Indonesia, 2022b). Independent evaluation using mixed-method and quasi-experimental designs should test programme effectiveness and differences in implementation quality.

Table 3 identifies the principal reform instruments and their legal functions.

Table 3. Reform Instruments for TRDM Implementation

Reform Instrument	Primary Function	Therapeutic-Restorative Addition	Legal Safeguard
PERMA / judicial guideline	Court diversion procedure	Comprehension check, safety adaptations, reasoned proportionality, reintegration clause	Judicial validation and reviewability
Police and prosecution standards	Pre-adjudication diversion	Readiness screening, counsel consultation, victim preparation	Voluntariness and presumption of innocence
Bapas / Litmas guideline	Social inquiry and supervision	Strengths, needs, service map, post-agreement review	Data minimisation and role clarity
Inter-agency protocol	Service coordination	Named provider, timeline, contingency plan	No unsupported conditions
Training and certification	Professional competence	Child communication, trauma awareness, facilitation, cultural responsiveness	Competency assessment
National monitoring framework	Evaluation	Process, restorative, developmental and safety outcomes	No agreement-rate targets as sole KPI

Source: Authors' formulation, based on Indonesia's juvenile justice framework and the comparative legal analysis developed in this article.

The implementation strategy calls for institutional complementarity via integrated reintegration plans that address fragmented responsibilities among agencies and stop families from having to recount their experiences repeatedly. In line with the rehabilitative orientation of the 2023 KUHP, the 2026 reform agenda should enhance specialization in juvenile justice by drawing on therapeutic expertise rather than absorbing it into general criminal procedure. Introducing the reforms in phases through pilot jurisdictions can develop institutional capacity prior to nationwide adoption. In the end, results hinge on whether legal encounters become more understandable, respectful, safe, and conducive to reintegration.

7. A New Standard of Success: Therapeutic Quality Without Therapeutic Paternalism

The proposed reform measures aim to achieve diversion success through procedures that comply with rights, meaningful accountability, relational repair, and sustainable reintegration, rather than simply avoiding formal adjudication. It rejects imposed emotional reactions and

safeguards children's and victims' autonomy, including their right to refuse agreements. Accordingly, humiliating or disproportionate obligations should not be approved through legal review under European standards (Council of Europe, 2018). The proposed Therapeutic-Restorative Quality Index should therefore rely on de-identified aggregate data on rights comprehension, access to counsel, institutional performance, service delivery, and secondary legal harms, such as detention days avoided. This framework also sidesteps individual risk scores that may reproduce predictive bias and institutional opacity (Berk et al., 2018).

These indicators align with the Riyadh Guidelines' emphasis on youth development and on preventing the criminalisation of minor conduct (United Nations General Assembly, 1990b), together with the CRC and Beijing Rules, which advance child welfare, proportionality, minimum intervention, and specialised juvenile justice. Under these standards, reintegration should be supported through ordinary developmental institutions rather than by separate correctional identities. The quality of diversion must also take account of children's experiences with legal authorities. Respectful communication and meaningful opportunities for children to express their views enhance institutional legitimacy (Fine et al., 2016), while professional training and supervision ensure that participation is met with substantive responses rather than mere surface-level politeness (Ismail et al., 2025). Structured dialogue can further reduce institutional barriers and prevent systemic overreach (Sutanti et al., 2025), and evaluation should assess real programme mechanisms rather than formal labels (Bouffard et al., 2017). Within this process, trauma-informed practice must guarantee safety, choice, appropriate referral, and the prevention of retraumatisation, while not turning into clinical treatment (Olaghere et al., 2021).

Evaluation must also determine whether diversion truly reduces detention and formal processing instead of hiding system expansion (Yamada, 2021). Meaningful participation requires support from trusted adults, schools, and communities (Gal, 2020), as well as community-based alternatives and institutional support for reintegration in Indonesia (Amarini et al., 2024). To curb arbitrary discretion, clear protections of rights and inter-agency responsibilities must be paired with visible best-interests standards (Muchlis, 2023), facilitator competency requirements (Witasari & Arif, 2019), and quantifiable institutional accountability (Zaidun & Setiyono, 2024), supported by trauma-sensitive coordination that preserves accountability (Wismayanti et al., 2019). Taken together, these safeguards promote a shift from retaliation to repair (Satria, 2018), anchored in community legitimacy (Rochaeti et al., 2023b), structured diversion practices (Cahyaningtyas, 2018), and disciplined implementation (Marder & Forde, 2023).

D. CONCLUSION

Indonesia's SPPA framework has successfully placed restorative justice and diversion at the center of juvenile adjudication, yet its next systemic challenge is qualitative rather than procedural. This article concludes that evaluating diversion merely as a mechanical procedural exit from formal trial stages creates severe institutional risks, including coerced settlements, untreated youth trauma, and empty reintegration promises. To systematically resolve this, the proposed Therapeutic-Restorative Diversion Model (TRDM) establishes six core safeguards developmental screening, informed participation, trauma-sensitive conferencing, relational accountability, individualized planning, and post-agreement review bounded strictly by legality, voluntariness, and proportionality. Furthermore, comparative legal principles from New Zealand, Canada, England, and Australia demonstrate that Indonesia can adapt these design elements into its post 2 January 2026 criminal law architecture by strengthening internal judicial guidance, aligning police-prosecution standards, and reforming Bapas Litmas practice instruments under the lex specialis status of the SPPA Act.

To explicitly address the core issues raised throughout this article, this study fundamentally concludes that the definition of success within Indonesian juvenile justice must be completely decoupled from mere administrative agreement rates. A lawful non agreement that protects the presumption of innocence is legally superior to a coerced settlement, and a formal agreement is substantively defective if the child fails to comprehend its terms or if the state fails to deliver promised institutional supports. Therefore, the justice system must transition toward an auditable quality index that measures state obligation compliance alongside concrete rule of law indicators, shifting the paradigm from shallow administrative disposal toward rights compliant, human-centered justice that guarantees long-term operational resilience.

REFERENCES

JOURNALS

Amarini, I., Samhudi, G. R., Mukarromah, S., Ismail, N., & Saefudin, Y. (2024). Social reintegration after the implementation of restorative justice in the Indonesian Criminal Code. *Jurnal Media Hukum, 31*(1), 115–133. https://doi.org/10.18196/jmh.v31i1.20655

Berk, R., Heidari, H., Jabbari, S., Kearns, M., & Roth, A. (2018). Fairness in criminal justice risk assessments: The state of the art. *Sociological Methods & Research*, *50*(1), 3–44. https://doi.org/10.1177/0049124118782533

Bolitho, J. (2017). Inside the restorative justice black box: The role of memory reconsolidation in transforming the emotional impact of violent crime on victims. *International Review of*

Victimology,*23*(3),233–255. https://dx.doi.org/10.2139/ssrn.3414151

Bouffard, J., Cooper, M., & Bergseth, K. (2017). The effectiveness of various restorative justice interventions on recidivism outcomes among juvenile offenders. *Youth Violence and Juvenile Justice*, *15*(4), 465–480. https://doi.org/10.1177/1541204016647428

Branson, C. E., Baetz, C. L., Horwitz, S. M., & Hoagwood, K. E. (2017). Trauma-informed juvenile justice systems: A systematic review of definitions and core components. *Psychological Trauma: Theory, Research, Practice, and Policy*, *9*(6), 635–646. https://doi.org/10.1037/tra0000255

Cahyaningtyas, I. (2018). Penal mediation of treatments for children in the juvenile justice system. *Diponegoro Law Review*, *3*(2),264–276. https://doi.org/10.14710/dilrev.3.2.2018.264-276

Case, S., & Haines, K. (2021). Abolishing youth justice systems: Children first, offenders nowhere. *Youth Justice, 21*(1), 3–17. https://doi.org/10.1177/1473225419898754

Case, S., Browning, A., & Hampson, K. (2020). Child First justice: The research evidence-base. *Youth Justice, 20(1–2),* 3–23. https://hdl.handle.net/2134/14152040

Cunneen, C., Goldson, B., & Russell, S. (2018). Human rights and youth justice reform in England and Wales: A systemic analysis. *Criminology & Criminal Justice*, *18*(4), 405-430. https://doi.org/10.1177/1748895817721957

Darmawan, B. A. B., Pujiyono, P., & Astuti, A. M. E. S. (2016). Tinjauan Yuridis Perlindungan terhadap Anak dalam Sistem Peradilan Pidana Anak di Indonesia. *Diponegoro Law Journal*,*5*(3),1–17. https://doi.org/10.14710/dlj.2016.12124

Day, A., Malyaso, C., Boyd, C., Hawkins, K., & Pilkington, R. (2023). The effectiveness of trauma-informed youth justice: A discussion and review. *Frontiers in Psychology,14*. https://doi.org/10.3389/fpsyg.2023.1157695

Fine, A., Cavanagh, C., Donley, S., Frick, P. J., Steinberg, L., & Cauffman, E. (2016). The role of peer arrests on the development of youths' attitudes towards the justice system. *Law and Human Behavior, 40*(2), 211–218. https://doi.org/10.1037/lhb0000167

Gal, T. (2020). An ecological model of child and youth participation in justice. *Children and Youth Services Review*, *79*, 57–64. http://dx.doi.org/10.1016/j.childyouth.2017.05.029

Ghoni, M. R., & Pujiyono, P. (2020). Perlindungan Hukum Terhadap Anak yang Berhadapan dengan Hukum Melalui Implementasi Diversi di Indonesia. *Jurnal Pembangunan Hukum Indonesia*, *2*(3), 331-342. https://doi.org/10.14710/jphi.v2i3.331-342

Hobbs, A., Garman, J., & Brewer, S. (2025). Restorative diversion: victim youth conferencing effects on recidivism. *Criminal Justice Studies*, *38*(2), 147–159. https://doi.org/10.1080/1478601X.2025.2508061

Ismail, D. E., Ahmad, N., Mantali, A. R. Y., Moha, M. R., & Machmud, A. W. (2025). The comparative study: Protecting children's rights through law reform of restorative justice in juvenile cases. *Journal of Law and Legal Reform, 6*(2), 909–950. https://doi.org/10. 15294/jllr.v6i2.13724

Keith, S. (2025). Making connections: assessing restorative justice processes and values in a juvenile justice diversion program. *Criminal Justice Studies*, *38*(2), 133–146. https://doi.org/10.1080/1478601X.2025.2508058

Kimbrell, C. S., Wilson, D. B., & Olaghere, A. (2023). Restorative justice programs and practices in juvenile justice: An updated systematic review and meta-analysis for effectiveness. *Criminology & Public Policy, 22*(1),161–195. https://doi.org/10.1111/1745-9133.12613

Lens, V. (2016). Against the grain: Therapeutic judging in a traditional family court. *Law & Social Inquiry*, *41*(3), 701–718. https://doi.org/10.1111/lsi.12153

Malvaso, C. G., Day, A., Cale, J., Hackett, L., Delfabbro, P., & Ross, S. (2024). The outcomes of trauma-informed practice in youth justice: A systematic review. *Trauma, Violence, & Abuse*, *25*, 3405–3422. https://doi.org/10.1007/s40653-024-00634-5

Marder, I. D., & Forde, L. (2023). Challenges in the future of restorative youth justice in Ireland. *Youth Justice, 23*(3), 275–293. https://doi.org/10.1177/14732254221122568

Muchlis, A. (2023). Penegakan prinsip kepentingan terbaik anak dalam sistem peradilan pidana anak melalui diversi. *Jurnal Hukum Progresif*, *11*(2), 130–146. https://doi.org/10.14710/jhp.12.1.66-77

Muema, F. M., & Kawałek, A. (2024). Therapeutic and non-therapeutic practices in the child justice system in Kenya: A therapeutic jurisprudence perspective. *International Journal of Law and Psychiatry*, *95*. https://doi.org/10.1016/j.ijlp.2024.101993

Muliani, S., Kasim, M. A., Ahmad, J., & Nonci, N. (2023). Reformulasi Syarat Pelaksanaan Diversi dalam Sistem Peradilan Pidana Anak di Indonesia. *Jurnal Pembangunan Hukum Indonesia*, *5*(2), 358-373. https://doi.org/10.14710/jphi.v5i2.358-373

Multiwijaya, V. R., Setiyono, S., Purwaningsih, R., Sunggara, M. A., & Muthia, A. A. (2026). Neuro-Protective Criminal Justice: A New Paradigm For Child Criminal Responsibility And Protection. *Law Reform, 22*(2), 452-483. https://doi.org/10.14710/lr.v22i2.82196

Nugent, B., & Schinkel, M. (2016). The pains of desistance. *Criminology & Criminal Justice*, *16*(5),568–584. https://doi.org/10.1177/1748895816634812

Nugroho, Y., & Pujiyono, P. (2022). Penegakan Hukum Pelanggaran Lalu Lintas oleh Anak: Analisis Kepastian dan Penghambat. *Jurnal Pembangunan Hukum Indonesia*, *4*(1),49-60. https://doi.org/10.14710/jphi.v4i1.49-60

Olaghere, A., Wilson, D. B., & Kimbrell, C. S. (2021). Trauma-informed interventions for justice-involved youth: A meta-analysis and systematic review. *Criminal Justice and Behavior*,*48*(9),1261–1284. https://doi.org/10.1177/0093854821100311 7

Priamsari, Rr. P. A. (2018). Mencari hukum yang berkeadilan bagi anak melalui diversi. *Law Reform,14*(2),220–235. https://doi.org/10.14710/lr.v14i2.20869

Putri, C. C. I. (2019). Juridical review of restorative justice in the juvenile justice system through diversion. *Indonesian Journal of Criminal Law Studies, 4*(1), 1–8. https://doi.org/10.15294/ijcls.v4i1.36288

Richards, K., Bartels, L., & Bolitho, J. (2017). Children's Court magistrates' views of restorative justice and therapeutic jurisprudence measures for young offenders. *Youth Justice, 17*(1), 22–40. https://doi.org/10.1177/1473225416665612

Ristama, Y., & Nugroho, H. (2026). Diversion Process as a Transformative Reform of the Criminal Justice System for Children in Conflict with the Law. *Jurnal IUS Kajian Hukum Dan Keadilan*, *14*(1), 57–73. https://doi.org/10.29303/ius.v14i1.1941

Rochaeti, N., Prasetyo, M. H., & Park, J. H. (2023a). Implementing of restorative justice to build the criminal justice system in Indonesia: A study of the Batak Toba justice system. *Law Reform: Jurnal Pembaharuan Hukum*, *19*(2), 221-247. https://doi.org/10.14710/lr.v19i2.53184

Rochaeti, N., Prasetyo, M. H., Rozah, U., & Park, J. (2023b). A restorative justice system in Indonesia: A close view from the Indigenous peoples' practices. *Sriwijaya Law Review, 7*(1), 87–104. https://doi.org/10.28946/slrev.Vol7.Iss1.191 9.pp87-104

Satria, H. (2018). Restorative justice: Paradigma baru peradilan pidana. *Jurnal Media Hukum,25*(1),111–123. https://doi.org/10.18196/jmh.2018.0107

Sirait, T. Y., & Cahyaningtyas, I. (2019). Restorative Justice Approach In The Settlement of Children's Cases In Indonesia. *Legality : Jurnal Ilmiah Hukum*, *27*(2),232–241. https://doi.org/10.22219/jihl.v27i2.10160

Smith, R. (2021). Diversion, Rights and Social Justice. *Youth Justice*, *21*(1), 3–19. https://doi.org/10.1177/1473225420902845

Solehuddin, S., Pujiyono, P., & Cahyaningtyas, I. (2026). Enhancing Fair Trial Standards Through the Integral Investigation System Under Law No. 20/2025. *Brawijaya Law Journal*,*13*(1),79–98. https://doi.org/10.21776/ub.blj.2026.013.01.04

Sulistyo, E., Pujiyono, P., & Rochaeti, N. (2021). Restorative justice as a resolution for the crime of rape with child perpetrators. *International Journal of Criminology and Sociology*,*10*,595-602. https://doi.org/10.6000/1929-4409.2021.10.69

Sutanti, R. D., Pujiyono, P., Rochaeti, N., & Damora, A. R. (2025). Customary law as an instrument of restorative justice: an alternative approach to criminal conflict resolution in plural legal systems. *Clio. Revista de Historia, Ciencias Humanas y Pensamiento Critico*, *5*(10), 1348–1381. https://doi.org/10.5281/zenodo.15453908

Turisno, B. E., Suharto, R., Priyono, E. A., & Mahmudah, S. (2021). Negligence in Implementing Child Custody Decisions: A Threat to Child Protection in Indonesia. *International Journal of Criminal Justice Sciences*,*16*(2),282–302. https://doi.org/10.5281/zenodo.4756076

Wijaningsih, D., Natalis, A., & Hardiyanti, M. (2026). Exploring the implementation of diversion in addressing child-on-child sexual violence in Indonesia. *Cadernos de Dereito Actual*, (31), 196-237. https://cadernosdedereitoactual.es/index.php/cadernos/article/view/1433

Willis, R. (2020). 'Let's talk about it': Why social class matters to restorative justice. *Criminology & Criminal Justice, 20*(2), 187–206. https://doi.org/10.1177/1748895818804307

Winick, B. J. (2003). Therapeutic Jurisprudence and Problem Solving Courts. *Fordham Urban Law Journal, 30*(3), 1055–1103. https://ir.lawnet.fordham.edu/ulj/vol30/iss3/14/

Wismayanti, Y. F., O'Leary, P., Tilbury, C., & Tjoe, Y. (2019). Child sexual abuse in Indonesia: A systematic review of literature, law and policy. *Child Abuse & Neglect, 95*. https://doi.org/10.1016/j.chiabu.2019.104034

Witasari, A., & Arif, M. S. (2019). Implementasi diversi guna mewujudkan restorative justice dalam sistem peradilan pidana anak. *Jurnal Hukum Unissula, 35*(2), 165–184. http://dx.doi.org/10.26532/jh.v35i2.11052

Yamada, D. C. (2021). Therapeutic jurisprudence: Foundations, expansion, and assessment. *University of Miami Law Review*, *75*, 660–716.https://repository.law.miami.edu/umlr/vol75/iss3/3

Zaidun, Z., & Setiyono, J. (2024). Penyelesaian Tindak Pidana Penganiayaan Dengan Pendekatan Keadilan Restoratif. *Jurnal*

Pembangunan Hukum Indonesia, *6*(1), 49–60. https://doi.org/10.14710/jphi.v6i1.49-60

BOOKS AND BOOK CHAPTERS

Braithwaite, J. (1989). *Crime, Shame and Reintegration*. Cambridge: Cambridge University Press.

Cunneen, C., & Tauri, J. M. (2016). *Indigenous Criminology*. Bristol: Policy Press.

Johnstone, G., & Van Ness, D. W. (Eds.). (2013). *Handbook of Restorative Justice*. London: Routledge.

King, M. S., Freiberg, A., Batagol, B., & Hyams, R. (2014). *Non-Adversarial Justice* (2nd ed.). Sydney: Federation Press.

Muhaimin, M. (2020). *Metode Penelitian Hukum*. Mataram: Mataram University Press.

Nowak, M. (2019). *The United Nations Global Study on Children Deprived of Liberty*. Geneva: United Nations.

Ryan, R. M., & Deci, E. L. (2017). *Self-Determination Theory: Basic Psychological Needs In Motivation, Development, And Wellness*. New York: Guilford Press.

Scott, E. S., & Steinberg, L. (2008). *Rethinking Juvenile Justice*. Cambridge, MA: Harvard University Press.

Wexler, D. B., & Winick, B. J. (Eds.). (1996). *Law In A Therapeutic Key: Developments In Therapeutic Jurisprudence*. Durham: Carolina Academic Press.

LEGISLATION & INTERNATIONAL INSTRUMENTS

Council of Europe. (2010). Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice.

Council of Europe. (2018). Recommendation CM/Rec(2018)8 concerning restorative justice in criminal matters.

Government of Canada. (2002). Youth Criminal Justice Act, S.C. 2002, c. 1.

Government of Canada. (2025). Extrajudicial Measures under the Youth Criminal Justice Act: Current statutory framework and policy materials. Department of Justice Canada.

Ministry of Justice New Zealand. (2016). Rangatahi Court wins award for judicial excellence.

New Zealand Parliament. (1989). Oranga Tamariki Act 1989.

Republic of Indonesia. (2012). Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Republic of Indonesia. (2014). Supreme Court Regulation Number 4 of 2014 concerning Guidelines for the Implementation of Diversion in the Juvenile Criminal Justice System.

Republic of Indonesia. (2015). Government Regulation Number 65 of 2015 concerning Guidelines for the Implementation of Diversion and Handling of Children Under Twelve Years of Age.

Republic of Indonesia. (2022a). Law Number 22 of 2022 concerning Corrections.

Republic of Indonesia. (2022b). Law Number 27 of 2022 concerning Personal Data Protection.

Republic of Indonesia. (2023). Law Number 1 of 2023 concerning the Criminal Code.

Republic of Indonesia. (2025). Law Number 20 of 2025 concerning the Criminal Procedure Code.

United Nations Committee on the Rights of the Child. (2013). General Comment No. 14 on the right of the child to have his or her best interests taken as a primary consideration.

United Nations Committee on the Rights of the Child. (2019). General Comment No. 24 on children's rights in the child justice system.

United Nations Economic and Social Council. (2002). Basic principles on the use of restorative justice programmes in criminal matters, ECOSOC Resolution 2002/12.

United Nations General Assembly. (1985). United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules), A/RES/40/33.

United Nations General Assembly. (1990a). United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Rules), A/RES/45/113.

United Nations General Assembly. (1990b). United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), A/RES/45/112.

United Nations. (2006). Convention on the Rights of Persons with Disabilities.

Youth Justice Board for England and Wales. (2026). Youth justice plans: Guidance for youth justice services.