

**Implementing Restorative Justice for Juvenile Offenders of Assault
through Progressive Legal Theory within the Women and Children
Protection Unit (PPA) of Bone Bolango Police**

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Abstract

The involvement of children as perpetrators of assault poses a significant challenge within the criminal justice system, particularly in fulfilling children's rights and applying restorative justice principles. This study aims to analyze the implementation of restorative justice in fulfilling the rights of child offenders in Bone Bolango Regency, based on the perspective of progressive legal theory. This research uses an empirical legal method with a qualitative approach. Data were collected through in-depth interviews, direct observation, documentation, and literature study, then analyzed descriptively and qualitatively. The findings reveal that the diversion process conducted by the Women and Children Service Unit (PPA) of the Bone Bolango Police has not been implemented optimally. The low success rate of diversion is influenced by the limited participation of victims, inadequate public understanding of restorative justice, and the minimal involvement of legal aid providers and social workers. From the perspective of progressive law, this condition reflects a gap between legal norms and their implementation, indicating that the law has yet to function fully as a means of protection and recovery focused on the best interests of the child. A shift in legal enforcement paradigms is therefore necessary, supported by cross-sectoral collaboration, public education, and strengthened roles of local governments and facilitators in the juvenile justice system.

Keywords: *child, diversion, restorative justice*

Abstrak

Penanganan anak sebagai pelaku tindak pidana penganiayaan menimbulkan tantangan serius dalam sistem peradilan pidana, terutama dalam hal pemenuhan hak anak dan penerapan keadilan restoratif. Penelitian ini bertujuan untuk menganalisis pelaksanaan keadilan restoratif dalam pemenuhan hak anak pelaku penganiayaan di Kabupaten Bone Bolango melalui perspektif teori hukum progresif. Penelitian ini menggunakan metode hukum empiris dengan pendekatan kualitatif. Data diperoleh melalui wawancara mendalam, observasi langsung, dokumentasi, dan studi kepustakaan, kemudian dianalisis secara deskriptif-kualitatif. Hasil penelitian menunjukkan bahwa pelaksanaan diversi oleh Unit Pelayanan Perempuan dan Anak (PPA) Polres Bone

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Bolango belum berjalan secara optimal. Rendahnya tingkat keberhasilan diversi dipengaruhi oleh rendahnya partisipasi korban, kurangnya pemahaman masyarakat terhadap konsep keadilan restoratif, serta terbatasnya peran pendamping hukum dan pekerja sosial. Dalam perspektif hukum progresif, kondisi ini mencerminkan adanya kesenjangan antara norma hukum dan implementasinya di lapangan, sehingga hukum belum sepenuhnya berfungsi sebagai sarana perlindungan dan pemulihan yang berorientasi pada kepentingan terbaik anak. Oleh karena itu, dibutuhkan perubahan paradigma penegakan hukum yang didukung oleh kolaborasi lintas sektor, edukasi publik, serta penguatan peran pemerintah daerah dan fasilitator dalam sistem peradilan anak.

Kata kunci: anak, diversi, keadilan restoratif

1. INTRODUCTION

Crime is a persistent social phenomenon that remains inherently embedded within the dynamics of human society. From classical to modern eras, both the nature and motivation of criminal behavior have evolved alongside changes in civilization. Criminal acts should not be perceived merely as individual moral failures but as reflections of deeper structural imbalances within society.¹ Economic, cultural, and political transformations directly shape the patterns, frequency, and severity of crimes. The presence of crime often serves as an indicator of systemic weaknesses in social regulation and institutional control. Addressing crime requires more than fragmented or reactive responses from the state. A multidimensional and interdisciplinary approach is necessary to understand and effectively address the underlying causes and implications of criminal behavior.²

The involvement of children in criminal acts introduces a complex challenge for legal systems and society alike. Children exist within a critical phase of psychological, emotional, and moral development that limits their capacity for mature judgment.³ Insufficient self-control and heightened susceptibility to environmental influence

¹ Sahat Maruli T. Situmeang, *Buku Ajar Kriminologi* (Bandung: Rajawali Buana Printing, 2021).

² Dian Tri Utami, "Pengaruh Lingkungan Teman Sebaya Terhadap Perilaku Sosial Anak Usia 5-6 Tahun," *Generasi Emas* 1, no. 1 (April 30, 2018): 39–50, [https://doi.org/10.25299/ge.2018.vol1\(1\).2258](https://doi.org/10.25299/ge.2018.vol1(1).2258).

³ Siti Rini Anggraini and Sofa Almunawaroh, "Kebijakan Hukum Pidana Terhadap Anak Sebagai Pelaku Tindak Pidana Pembunuhan," *ABDIMAS Iqtishadia* 1, no. 1 (July 15, 2023): 114–21, <https://doi.org/10.32493/iqtis.v1i1.31739>.

increase the likelihood of deviant conduct. Family dysfunction, inadequate supervision, peer pressure, and exposure to violence contribute significantly to juvenile offending. Many children lack a comprehensive understanding of the legal and moral consequences of their actions. Their position often reflects a dual status as both offenders and victims of adverse social conditions. A legal response that recognizes this vulnerability is therefore essential.⁴

Juvenile delinquency may be understood as a manifestation of social deviation rooted in systemic dysfunction. Weak family structures, ineffective educational systems, and declining community cohesion diminish protective social mechanisms. The absence of positive role models further exacerbates children's exposure to criminal behavior. When such conditions persist, juvenile offending poses long-term risks to societal stability. Patterns of deviant behavior may continue into adulthood, reinforcing cycles of marginalization and criminality.⁵ The social cost of inaction extends beyond individual cases to broader developmental consequences. Preventive and rehabilitative interventions thus represent a collective social responsibility.

The legal framework governing children in conflict with the law presents inherent dilemmas. Legal accountability remains essential to uphold the rule of law and public order. However, children cannot be treated identically to adult offenders due to their developmental limitations. The juvenile justice system requires differentiated treatment grounded in proportionality and fairness. Excessively punitive responses risk undermining psychological well-being and future social integration.⁶ Legal processes should instead emphasize education, correction, and reintegration. An adaptive and humane legal approach is crucial to safeguarding the best interests of the child.

⁴ Rifqi Alif Darmawan et al., "Analysis of the Effectiveness of the Application of Restorative Justice in Criminal Cases in Indonesia," *Journal of World Science* 3, no. 5 (May 31, 2024): 567–72, <https://doi.org/10.58344/jws.v3i5.612>.

⁵ Lidya Rahmadani Hasibuan, "The Concept of Restorative Justice in the Juvenile Criminal Justice System: A Narrative Review of the Indonesian Context," *Scholars International Journal of Law, Crime and Justice* 5, no. 7 (July 19, 2022): 263–72, <https://doi.org/10.36348/sijlcj.2022.v05i07.004>.

⁶ Keisha April et al., "Conceptualizing Juvenile Justice Reform: Integrating the Public Health, Social Ecological, and Restorative Justice Models," *Children and Youth Services Review* 148 (May 2023): 106887, <https://doi.org/10.1016/j.childyouth.2023.106887>.

Indonesia's commitment to child protection is reflected in various national legal instruments. Law Number 35 of 2014 concerning Child Protection guarantees children's rights to survival, growth, development, and participation. The legislation affirms the state's obligation to protect children from violence, exploitation, and discrimination. It also provides a normative basis for handling children involved in criminal proceedings. Law enforcement practices must align with the principle of child-centered justice. The role of the state extends beyond punishment to include protection and empowerment. A paradigm shift toward humane and restorative justice is therefore imperative.⁷

Restorative justice offers an alternative framework for resolving juvenile criminal cases. This approach prioritizes the restoration of relationships between offenders, victims, and the community. Accountability is pursued through dialogue and mutual understanding rather than retribution. The framework aligns with the Convention on the Rights of the Child, ratified by Indonesia through Presidential Decree Number 36 of 1990. The Convention emphasizes rehabilitation and social reintegration as primary objectives of juvenile justice. Supreme Court Regulation Number 4 of 2014 operationalizes these principles through mandatory diversion mechanisms. These legal foundations underscore the relevance of restorative justice within the juvenile justice system.⁸

Recent empirical studies highlight both opportunities and challenges in the implementation of restorative justice for juvenile offenders. Nashriana et al⁹ in 2023 identified limited understanding among law enforcement officials as a major obstacle to effective diversion. Agung Setya Nugraha et al¹⁰ in 2025 examines the effectiveness of

⁷ A. Abdul, D., Darmawati, D., & Nusa, "Model Pemenuhan Hak Pendidikan Anak Sebagai Bagian Dari Pembinaan Anak Yang Berhadapan Dengan Hukum," *Jurnal Litigasi Amsir Special Is* (2024): 165–71, <https://journalstih.amsir.ac.id/index.php/julia/article/view/610>.

⁸ Indah Sri Utari Fredrico Markus Rotua Sinaga, *Efektivitas Penerapan Restorative Justice Dalam Penyelesaian Tindak Pidana Anak Di Indonesia: Studi Pada Polrestabes Semarang Authors*, Bookchapte (Semarang: UNNES, 2025).

⁹ Nashriana Nashriana et al., "Enhancing Restorative Justice in Indonesia: Exploring Diversion Implementation for Effective Juvenile Delinquency Settlement," *Sriwijaya Law Review*, July 31, 2023, 318–34, <https://doi.org/10.28946/slrev.Vol7.Iss2.2427.pp318-334>.

¹⁰ Adityo Putro Prakoso Agung Setya Nugraha, Mahmutarom Mahmutarom, "Effectiveness of Implementing Restorative Justice in Resolution of Child Crimes," *International Journal of Law Recnstruction* 9, no. 2 (2025): 309–30, <https://doi.org/https://dx.doi.org/10.26532/ijlr.v9i2.48901>.

implementing restorative justice in resolving juvenile criminal cases in Indonesia restorative justice. Wahyuningrum, Hendriana, and Angkasa¹¹ in 2025 examined the legal protection of children as victims of incest committed by biological fathers, underscoring the need for a victimology-based approach in the operational practices of the Women and Children Protection Unit. These studies reveal gaps between legal theory and field implementation, particularly in how law enforcement agencies interpret and apply restorative principles. Structural and institutional challenges continue to obstruct the actualization of child-friendly justice. There is also a lack of consistent frameworks that integrate progressive legal perspectives into police-level procedures. These research gaps underscore the need for further inquiry.

Progressive legal theory conceptualizes law as a dynamic instrument for achieving substantive justice. Rather than being confined to rigid textual interpretations, law is seen as a responsive tool aligned with evolving social realities. Satjipto Rahardjo, the pioneer of this theory, asserts that law must serve human dignity and social welfare rather than bureaucratic or procedural formalism.¹² This approach allows legal actors to exercise discretion with empathy, contextual awareness, and moral responsibility. Children in conflict with the law represent a vulnerable group that stands to benefit from such a paradigm. Legal interventions must prioritize their developmental needs while restoring social harmony. In light of these considerations, this study aims to examine the implementation of restorative justice for juvenile offenders of assault through the lens of progressive legal theory, with a specific focus on the practices of the Women and Children Protection Unit (PPA) of the Bone Bolango Police Department.

¹¹ Angkasa. Wahyuningrum, R. R. E., Hendriana, R., "Legal Protection for Children as Victims of Incest Committed by Biological Fathers From a Victimology Perspective (Study at the Criminal Investigation Unit of the Banyumas Regency Woman and Children).," *Jurnal Hukum In Concreto* 4, no. 1 (2025): 16–30, <https://doi.org/https://doi.org/10.35960/inconcreto.v4i1.1746>.

¹² Irwan Safaruddin Harahap, "Perlindungan Hukum Terhadap Anak Korban Kejahatan Seksual Dalam Perspektif Hukum Progresif," *Jurnal Media Hukum* 23, no. 1 (2016): 37–47, <https://doi.org/10.18196/jmh.2015.0066.37-47>.

2. RESEARCH METHODS

This study employs an empirical legal research design also known as a socio-legal research approach, utilizing a qualitative method.¹³ The selection of this research type is based on the need to explore not only written legal norms but also their actual implementation in practice, particularly concerning the effectiveness of restorative justice in resolving assault cases involving juvenile offenders at the Women and Children Protection Unit (PPA) of the Bone Bolango Police Department. The qualitative approach allows the researcher to gain a deeper understanding of the perceptions, experiences, and challenges encountered by law enforcement officers, child offenders, victims, and community members involved in the diversion process. Specifically, this study seeks to explain how the norms stipulated in Law Number 11 of 2012 on the Juvenile Criminal Justice System are implemented in the local context, and to what extent these norms align with the socio-legal realities observed in the field.¹⁴

The data used in this study consist of both primary and secondary sources.¹⁵ Primary data were collected through in-depth interviews with law enforcement officers, juvenile offenders, victims, their families, and community figures directly involved in diversion procedures. In addition, direct observation was conducted to examine the real-time application of restorative justice during the handling of cases at the PPA Unit. Documentation of case files, diversion reports, statistical data, and official records from the Bone Bolango Police was also utilized to support the findings from interviews and observations. Secondary data were obtained through a literature review of relevant legal scholarship, academic journals, books, and statutory regulations, providing a theoretical framework and comparative insight for interpreting empirical findings. Through this combined approach, the study aims to assess the effectiveness of restorative justice within the juvenile criminal justice system at the police level and contribute to the improvement of child-friendly legal practices.

¹³ Jonaedi Efendi & Johnny Ibrahim, *Metode Penelitian Hukum Normatif & Empiris*, vol. 1, cet. 2 (Jakarta: Kencana, 2016).

¹⁴ Mushafi, *Metode Penelitian Hukum Teori Dan Praktek* (Purbalingga: Eureka Media Aksara, 2025).

¹⁵ Irwansyah, *Penelitian Hukum, Pilihan Metode & Praktik Penulisan Artikel, Cetakan Ke 3* (Yogyakarta: Mirra Buana Media, 2020).

3. RESULTS AND DISCUSSION

3.1. General Overview and Dynamics of Child Perpetrated Assault Crimes in Bone Bolango Regency

Assault crimes involving children as both perpetrators and victims in Bone Bolango Regency have experienced notable fluctuations over the past four years. Data obtained from the Women and Children Protection Unit (PPA) of the Bone Bolango Police reveal changes in the number of cases, reflecting not only quantitative variation but also the underlying complexity of the associated social issues. Violence involving children should not be understood solely as individual legal violations. These acts are often manifestations of broader systemic weaknesses in child protection within family and community settings. Understanding this condition is crucial to evaluating the effectiveness of the legal policies that have been implemented. The fact that children can simultaneously become both offenders and victims demonstrates structural vulnerabilities that must not be overlooked. This situation demands a careful and contextual interpretation of the data. A purely repressive legal approach is likely to fall short in addressing the root causes of the problem.

The table below presents comprehensive data on child assault cases in Bone Bolango Regency from 2021 to 2024. It includes the number of children identified as perpetrators, children as victims, classifications of assault types, and the outcomes of diversion efforts.

Table 1. Child Assault Cases in Bone Bolango Regency (Women and Children Protection Unit, Bone Bolango Police, 2021–2024)

| Year | Child Perpetrators | Child Victims | Serious Assault | Minor Assault | Successful Diversion | Failed Diversion |
|------|--------------------|---------------|-----------------|---------------|----------------------|------------------|
| 2021 | 6 | 4 | 5 | 1 | 1 | 5 |
| 2022 | 3 | 8 | 10 | 0 | 3 | 0 |
| 2023 | 1 | 6 | 7 | 0 | 0 | 1 |
| 2024 | 5 | 11 | 10 | 1 | 2 | 3 |

Source: Author Primary Data

The data indicate that the number of child perpetrators is consistently lower than the number of child victims. This pattern highlights the vulnerability of children to violence in both physical and social dimensions. The surge in child victim cases, particularly in 2024 when eleven cases were recorded, demonstrates the underperformance of the child

protection system. This situation suggests that current law enforcement strategies are not yet being implemented holistically. Children involved in criminal acts should not be regarded solely as offenders but also as individuals who require recovery and social reintegration. These circumstances necessitate a comprehensive legal framework that prioritizes protection.

An examination of assault types reveals that serious assaults dominate throughout the observation period. The number peaked at ten cases in both 2022 and 2024. In contrast, minor assaults were recorded only in 2021 and 2024 in very limited numbers. This trend implies that the violence among children tends to be severe and escalated. The prevalence of serious offenses limits the opportunity for diversion, given that such cases are typically less eligible for restorative resolution. The high level of aggression reflects deeper societal problems, such as insufficient character education and a breakdown in parental supervision.

A critical analysis of the imbalance between perpetrators and victims reveals that not all child victims are harmed by other children. The higher number of child victims suggests the involvement of adult perpetrators or broader environmental factors beyond peer conflict. This finding underscores deficiencies in the existing protective structures and calls for a more inclusive, multi-sectoral intervention. Legal responses to child-related violence must be expanded to incorporate stronger community-based protections and education. The disproportion highlights the importance of integrating child protection into broader legal and social reform.

An assessment of diversion efforts shows inconsistent outcomes. In 2021, only one case was successfully diverted while five others failed. The year 2022 marked full success in all reported cases. However, the following years saw a significant decline. In 2023, no diversion was successful, and in 2024, only two out of five cases were resolved through restorative means. These fluctuating results suggest that restorative justice mechanisms have yet to be firmly institutionalized. The effectiveness of diversion remains highly dependent on legal actor capacity, institutional commitment, and community engagement.

Several factors contribute to the failure of diversion. First, prevailing public perceptions continue to equate justice with punishment, leading victims' families to resist restorative approaches. Second, the effectiveness of mediation is influenced by the need for stronger institutional support and enhanced facilitation strategies. Third, the lack of inclusive dialogue and meaningful emotional engagement constrains the success of restorative mechanisms. Without participatory and empathetic conflict-resolution practices, restorative justice risks being reduced to a procedural formality rather than serving as a genuine instrument of social recovery.¹⁶

Insights from the Social Reports on Children in Conflict with the Law (LAPOS ABH) show that most perpetrators come from low-income, broken, and unsupervised households. Many are exposed to negative influences from their surroundings, including violence, neglect, and social isolation. These factors significantly shape children's behavior and increase their risk of engaging in aggression. In such cases, punitive legal responses are likely to exacerbate trauma. Children in these situations require psychological recovery, educational support, and safe reintegration into society.¹⁷

A deeper evaluation of diversion practices reveals a tendency among law enforcement officers to adhere strictly to procedural legality. Although laws such as Law Number 11 of 2012 and Supreme Court Regulation Number 4 of 2014 provide normative space for restorative justice, these principles are often interpreted narrowly in practice.¹⁸ Many officers fail to internalize the humanitarian philosophy underlying these laws. A legal system committed to serving the best interests of the child must demonstrate flexibility, compassion, and a willingness to adapt. Officers need to be

¹⁶ Gita Damaiyanti, Ramon Nofrial, and Erniyanti Erniyanti, "Analisis Yuridis Penerapan Diversi Dan Keadilan Restoratif Dalam Sistem Peradilan Pidana Anak Pada Tingkat Penyidikan Demi Mewujudkan Perlindungan Anak," *Jurnal Ilmiah Hukum Dan Hak Asasi Manusia* 2, no. 2 (January 1, 2023): 93–98, <https://doi.org/10.35912/jihham.v2i2.1674>.

¹⁷ Tahi Saoloan Hutagalung, "The Effectiveness of Restorative Justice Implementation in the Juvenile Criminal Justice System in Indonesia," *Jurnal Smart Hukum (JSH)* 2, no. 1 (September 30, 2023): 37–46, <https://doi.org/10.55299/jsh.v2i1.1353>.

¹⁸ Lidya Rahmadani Hasibuan Irma Fatmawati, "Diversi Berdasarkan Undang-Undang No. 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak (Studi Pada Polres Stabat , Kejaksaan Negeri Stabat Dan Pengadilan Negeri Stabat)," *Jurnal Ilmiah Penegakan Hukum* 3, no. 1 (2016): 75–80, <https://doi.org/10.31289/jiph.v3i1.1893>.

equipped with both technical knowledge and ethical sensitivity to apply progressive justice in the field.¹⁹

The overall interpretation of the data shows that assault cases involving children in Bone Bolango cannot be resolved through punitive legal frameworks alone. The rising number of victims, the prevalence of serious violence, and the limited success of diversion indicate a disconnect between legal norms and social realities. A more progressive, restorative-based legal system is urgently needed. Restorative justice should be embedded into the justice system as a foundational strategy. Long-term reform must include institutional strengthening, community involvement, and a consistent child-centered approach in both law and practice.

3.2. Application of Restorative Justice from the Perspective of Progressive Legal Theory

The application of restorative justice principles to children involved in assault cases in Bone Bolango Regency reflects a law enforcement dynamic that has yet to fully embrace the paradigm of progressive legal theory. The handling of juvenile cases by the Women and Children Service Unit (PPA) of the Bone Bolango Police Department still tends to prioritize a retributive approach. Investigators frequently opt for formal litigation procedures despite the existence of diversion mechanisms stipulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. When legal practice is primarily oriented toward normative certainty, the opportunity to pursue restorative outcomes and achieve substantive justice is frequently overlooked. This situation indicates a lack of internalization of progressive legal values within practical law enforcement processes.

Progressive legal theory, as introduced by Satjipto Rahardjo, asserts that law must serve humanity. It should not be interpreted as a rigid and static set of rules, but rather as a dynamic and socially embedded mechanism. Within this framework, restorative justice is not merely an alternative legal route but represents a fundamental shift toward

¹⁹ Erwin Erdin, Afi Shofiana, and Indra Jaya Indar, "The Effectiveness of Restorative Justice in Resolving Juvenile Criminal Offenses in Indonesia," *Hakim: Jurnal Ilmu Hukum Dan Sosial* 3, no. 1 (February 19, 2025): 918–36, <https://doi.org/10.51903/hakim.v3i1.2288>.

human-centered and solution-oriented legal practice.²⁰ The diversion process, which fosters reconciliation between offender and victim, illustrates the core tenets of progressive law, including the prioritization of social benefit and substantive justice over procedural rigidity. When justice is understood as a process of repairing disrupted social relationships, diversion becomes more than a bureaucratic requirement; it evolves into a medium for achieving meaningful societal restoration.²¹

The implementation of restorative justice in Bone Bolango faces numerous structural and cultural challenges. One significant barrier is the reluctance of victims' families to participate in restorative processes, as they often equate justice with punishment. Public perception continues to favor retributive measures over rehabilitative outcomes. Moreover, law enforcement officers are often inadequately trained to facilitate restorative dialogues that are fair, inclusive, and transformative. The lack of skilled facilitators and institutional support has made restorative justice a secondary consideration rather than an integral component of juvenile case resolution.

A disconnect exists between legal norms and their application in the field. Article 7 of Law Number 11 of 2012 mandates that diversion must be attempted for juvenile offenses carrying a sentence of less than seven years.²² However, in practice, even in minor assault cases, diversion is not pursued optimally. This inconsistency reflects not only institutional reluctance but also a systemic failure to align legal interpretation with social realities. From a progressive legal standpoint, law must be capable of adapting to context and social change, rather than serving as a barrier to humane, dialogic solutions.²³

²⁰ Cecilia Rudolf Valentino, "Restorative Justice as an Alternative in the Indonesian Criminal Justice System," *Journal of Progressive Law and Legal Studies* 3, no. 03 (September 6, 2025): 348–61, <https://doi.org/10.59653/jpills.v3i03.1864>.

²¹ Hirsan Batubara, Nurhayati Nurhayati, and Azmiati Zuliah, "Perlindungan Hukum Bagi Korban Kekerasan Seksual Dalam Penerapan Diversi Dengan Pendekatan Keadilan Restoratif Dalam Sistem Peradilan Anak," *SENTRI: Jurnal Riset Ilmiah* 4, no. 10 (October 31, 2025): 2843–57, <https://doi.org/10.55681/sentri.v4i10.4807>.

²² Sitti Aisyah and Muhammad Husni Fahrudin, "The Impact of Restorative Justice on Addressing Juvenile Offenses The Impact of Restorative Justice on Addressing Juvenile Offenses," *Awang Long Law Review* 7, no. 1 (November 30, 2024): 192–97, <https://doi.org/10.56301/awl.v7i1.1482>.

²³ Alamsyah Podungge, Darmawati Darmawati, and Rafika Nur, "Implementation of Restorative Justice on Traffic Accident Crimes Committed by Children in the Legal Area of the Gorontalo City Police,"

Law enforcement practices that remain bound to rigid proceduralism prevent the legal system from realizing its transformative potential. When juvenile offenders are subjected to purely punitive processes, they face heightened risks of stigmatization, social exclusion, and recidivism. Exposure to formal legal proceedings can also result in long-term psychological trauma, particularly for children whose developmental stages demand nurturing, not punishment. Progressive law requires a reflective and empathetic legal framework that considers children as individuals in the process of growing and learning, rather than simply as legal subjects to be penalized.

Social reports on children in conflict with the law (ABH) reveal that the majority of child offenders come from environments characterized by family dysfunction, poverty, neglect, and exposure to violence. These risk factors significantly contribute to aggressive behavior and criminal conduct. In such circumstances, the role of the legal system should shift toward protection, not retribution. Progressive legal theory calls for justice to be an instrument of healing, relationship repair, and social reintegration. Legal responses to juvenile crime must be informed by an understanding of the broader structural and social determinants of delinquency.²⁴

The previously presented data highlight the low rate of successful diversion, particularly in 2023. This pattern not only demonstrates institutional limitations but also exposes a lack of cross-sectoral collaboration necessary to build a restorative justice ecosystem. When police departments are left to manage cases alone, without meaningful support from psychologists, social workers, and community facilitators, the restorative process is rendered ineffective. Progressive legal implementation requires intersectoral cooperation that prioritizes recovery over punishment and embeds restorative justice within community-based approaches.

Transforming juvenile justice requires courageous and innovative legal actors willing to interpret laws beyond their literal meanings. Progressive legal practice does

JIHAD: Jurnal Ilmu Hukum Dan Administrasi 6, no. 4 (December 1, 2024), <https://doi.org/10.58258/jihad.v6i4.7608>.

²⁴ Arpin Arpin and Mohd Al Adib Samuri. Insani, Nur, Sumiyati Beddu, Rahmawati Rahman, "Judicial Considerations in Child Marriage Dispensations: An Empirical Study of the Gorontalo Religious Court," *Jurnal Ilmiah Al-Syir'ah* 22, no. 1 (2024): non pg.

not imply disobedience to existing statutes, but rather demands a contextual and humane reinterpretation of legal norms.²⁵ In practice, this means allowing space for penal mediation, restorative dialogue, and inclusive community engagement. When legal practitioners focus on substantive outcomes rather than procedural formality, the justice system becomes more adaptive, responsive, and centered on rehabilitation.

This study affirms that the application of restorative justice within the framework of progressive legal theory requires recognizing children as legal subjects entitled to protection, recovery, and reintegration. The primary objective of this research is to assess the extent to which progressive legal values have been incorporated into the handling of juvenile assault cases in Bone Bolango. Additionally, this study seeks to promote policy reform that reorients juvenile justice toward protection and long-term social recovery. The true measure of a legal system's success lies not in how many individuals are punished, but in how effectively it restores lives, particularly those of vulnerable children.

CONCLUSION AND SUGGESTION

The implementation of restorative justice in fulfilling the rights of juvenile offenders involved in assault cases in Bone Bolango Regency has been pursued through diversion mechanisms, as mandated by Law Number 11 of 2012 on the Juvenile Criminal Justice System. However, its application remains suboptimal. A key obstacle lies in prevailing societal perceptions that continue to equate justice with punishment, resulting in resistance to restorative approaches. Furthermore, the effectiveness of mediation depends on institutional readiness and the quality of facilitation strategies employed during the diversion process. The absence of inclusive dialogue and meaningful emotional engagement among parties often reduces restorative justice to a procedural formality rather than a transformative practice. From the perspective of progressive legal theory, this situation reveals a gap between legal norms and their practical implementation, highlighting the need for a legal paradigm that prioritizes

²⁵ Rizaldy Purnomo Pedju et al., "Progressive Law Perspective: Analysis of Restorative Justice in National Criminal Code," *Amsir Law Journal* 6, no. 2 (April 30, 2025): 68–83, <https://doi.org/10.36746/alj.v6i2.634>.

recovery and protection of the child's best interests.

The legal paradigm in handling juvenile offenders must shift toward a progressive approach that prioritizes the best interests of the child. Diversion should be optimized through targeted training for law enforcement officers, an increased number of facilitators, and strengthened capacity among social workers. Public education is essential to improve awareness among communities and victims about the restorative justice framework and its rehabilitative aims. Local governments should play an active role in providing resources and rehabilitation programs, while families and communities are expected to create a supportive environment for the social reintegration of children. These efforts are crucial to building a justice system that is fair, inclusive, and responsive to the developmental needs of children.

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