

Analysis of the Phenomenon of Criminal Acts Involving Minors and Its Impact on Law Enforcement at the Kayong Utara Police, West Kalimantan

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ABSTRACT

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Halal certification is a crucial aspect of ensuring product legitimacy for Muslim consumers in Indonesia, especially for micro-businesses that dominate the national economy. However, access to halal certification remains limited among micro-enterprises due to procedural complexity, regulatory ambiguities, and limited institutional outreach. This research aims to examine the role of the Ministry of Religious Affairs and the Halal Product Assurance Agency (BPJPH) in facilitating halal certification processes for micro-business actors. Using a normative juridical research method with a statutory and conceptual approach, the study analyzes the legal framework governing halal certification in Indonesia, particularly focusing on Law No. 33 of 2014 and Government Regulation No. 39 of 2021. The results indicate that although the legal basis for halal certification exists, there are operational gaps, including inadequate assistance for micro-entrepreneurs, lack of legal awareness, and limited financial support. The study recommends the need for regulatory reform that emphasizes facilitation and simplification of certification procedures, increased legal literacy, and multi-stakeholder collaboration. The implications of this research highlight the importance of responsive regulatory governance to ensure that halal certification becomes accessible, inclusive, and supportive of Indonesia's halal economy ecosystem, particularly for micro and small enterprises.

INTRODUCTION

The increasing phenomenon of criminal cases involving minors is a reflection of the complexity of social and legal issues in Indonesia (Sutanto, 2024). Children as part of a vulnerable group are often involved in crimes, both as perpetrators and victims, which shows gaps in the social and legal protection system (Hutagalung, 2023). Many factors underlie the involvement of children in criminal acts, ranging from poverty, lack of parental supervision, and environmental influences, to misuse of technology (Adinda, 2023). This situation requires the state not only to act repressively against violations of the law committed by children but also to create a humanistic and recovery-oriented legal system (Sari, 2024). In this case, law enforcement against children must be placed within a framework of justice that takes into account the characteristics and developmental needs of children (Aidy, 2019).

The legal treatment of children in conflict with the law is fundamentally different from that of adults because children are still in the stages of physical, psychological, and social development (Lefaan, 2020). The conventional criminal justice system cannot be simply

applied to children, considering that an overly repressive approach can damage the child's future and potential (Arredondo, 2003). Modern legal systems in many countries, including Indonesia, have transformed by prioritizing a more educational, restorative, and rehabilitative approach to children (Riza, 2021). This different treatment is not intended to avoid children from legal responsibility, but rather to provide effective recovery and development space for them (Sudewo, 2021). In practice, this difference requires a special and comprehensive legal and institutional design.

The Convention on the Rights of the Child (CRC) which was ratified by Indonesia through Presidential Decree No. 36 of 1990 provides a strong international legal basis for the protection of children (Sadat, 2024). One of the main principles in the CRC is "the best interest of the child", which demands that in every action involving children, including in the legal process, the interests of the child must be the primary consideration (Munajat, 2023). This principle emphasizes that even if a child violates the law, his/her rights as a child should not be ignored. The implementation of this principle requires integration between national legal norms and international instruments so that the national legal system not only fulfills the formal aspects but also the substance of child protection. This shows that the child criminal law system needs to be constructed on humanitarian values and the protection of children's human rights.

The theory of child protection emerged in response to the need to position children as individuals who have rights, dignity, and special needs. Legal protection for children does not only mean keeping them away from physical threats but also ensuring that in all situations, including when they commit a crime, the legal process takes place by paying attention to aspects of their psychological and social development (Saptaningrum, 2023). This theory places the state as the party that is actively responsible for the welfare of children through the legal, educational, and social systems. When children are involved in legal problems, the state is not only sufficient to act as a punisher but also as a mentor who provides space for children to learn from their mistakes without destroying their future (Prastini, 2024). This is the basis for the need for a restorative justice approach in the juvenile criminal justice system.

Restorative justice is an approach that focuses on restoring social, emotional, and moral conditions after a crime has occurred, rather than simply punishment. In the case of children, this approach allows perpetrators, victims, and communities to be involved in resolving conflicts peacefully and educationally (Chandra, 2023). The application of restorative justice provides an alternative to the rigid litigation process that can be psychologically burdensome for children, such as court hearings, detention, and criminal sentences. This approach provides space for children to be responsible for their actions constructively, while still receiving legal and social protection. This model not only reduces recidivism rates but also strengthens the coaching function in the juvenile criminal law system (Prima, 2024).

In Indonesian positive law, the definition and age limits of children have been strictly regulated. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA) states that a child is someone who is 12 years old but has not reached 18 years old and is suspected of committing a crime (Loemnanu, 2025). Meanwhile, Law Number 35 of 2014 concerning Child Protection defines a child as someone who is not yet 18 years old, including children who are still in the womb (Fitrotun, 2022). This age limit is important because it is directly related to the type of legal treatment received by the child, both in the investigation, prosecution, and sentencing stages. Determining age is also the starting point in assessing the

level of criminal responsibility of a child according to the level of maturity and understanding of the consequences of his actions.

The criminal responsibility of children in the Indonesian legal system refers to the principle that not every violation of the law committed by a child can be directly punished (Jamilah, 2025). The SPPA Law provides space for law enforcement officers to assess whether children are competent enough to be criminally responsible. In many cases, children who commit minor crimes do not even need to be processed through the courts, but rather simply through the diversion process (Posumah, 2023). This shows that the legal system provides special treatment and prioritizes a social approach rather than a criminal one. The assessment of this ability to be responsible must also involve child psychologists and child development institutions so that legal decisions truly reflect the principle of protection. The legal framework that is the basis for handling children in criminal acts in Indonesia is built through several complementary main regulations. Law Number 11 of 2012 concerning SPPA is the main pillar that regulates the entire judicial process for children, including investigations, detention, and sentencing which are different from the general justice system (Simatupang, 2024).

On the other hand, the Child Protection Law (Law No. 35 of 2014) provides a broader legal umbrella regarding children's rights, both in the context of criminal law and in their daily lives. These two regulations place protection as the foundation of every legal policy related to children, not as a complement or exception. This adjustment shows that Indonesia has normatively tried to fulfill its international obligations in guaranteeing children's rights.

The implementation of the SPPA Law is supported by technical regulations such as Supreme Court Regulation (Perma) Number 4 of 2014 concerning Guidelines for the Implementation of Diversion in the Juvenile Criminal Justice System. This Perma provides technical instructions to judicial officials regarding how the diversion process is carried out, including the penal mediation mechanism and consideration of the types of crimes that can be resolved outside the courts. In practice, this Perma is an important instrument that connects the idealism of child protection law with the reality of the complex judicial process. The diversion as part of a restorative justice approach is expected to prevent children from entering a criminal system that can damage their future (Putri, 2023). This regulation is also a measure of the consistency of officials in implementing legal principles that prioritize recovery.

The implementation of this legal framework requires a strong commitment from all components of the legal system, from the police, prosecutors, courts, to child development institutions. It is not enough to just have progressive regulations, implementation in the field must also reflect a deep understanding of the principles of child protection and restorative justice. Continuous legal education for law enforcement officers and child social service providers is key to ensuring that children involved in the legal process continue to receive proper and dignified treatment. When the legal framework is implemented consistently and humanely, the juvenile criminal justice system will not only be a tool of punishment, but also a real space for development. It is the ideal direction for the future of juvenile criminal law in Indonesia.

Previous studies have discussed coping mechanisms and stress management techniques during pandemics; however, research specifically addressing *self-healing* as an individual mental recovery approach in the post-COVID-19 academic context remains limited. This creates a gap in the psychological literature, particularly regarding how self-healing is

conceptualized, practiced, and perceived among students. The novelty of this study lies in its attempt to investigate self-healing not merely as a trend, but as a potential adaptive coping strategy that contributes to emotional resilience and self-regulation among university students.

This study aims to fill that gap by analyzing the implications of the open-list proportional electoral system from the perspective of Indonesia's national resilience (*ketahanan nasional*), with a particular focus on ideological and political stability. The novelty of this research lies in its integrative approach that bridges constitutional law and national resilience theory, offering a unique analytical framework rarely applied in previous electoral studies in Indonesia.

The objective of this research is to evaluate how the current electoral system influences political fragmentation, ideological disorientation, and the effectiveness of legislative institutions. The study also seeks to provide policy recommendations that support the design of an electoral system aligned with Indonesia's constitutional mandate and national resilience goals. The findings are expected to contribute both to academic discourse and to practical efforts in strengthening Indonesia's democratic institutions and political unity.

METHOD

This study uses a normative legal method, namely an approach that relies on the analysis of written legal norms as a basis for explaining the phenomenon of criminal acts involving minors and their impact on law enforcement. The main focus of this approach is to examine relevant laws and regulations, such as Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Law Number 35 of 2014 concerning Child Protection, and various other implementing regulations such as Supreme Court Regulation Number 4 of 2014 concerning Guidelines for the Implementation of Diversion. This study also utilizes secondary legal sources in the form of legal literature, scientific journals, results of studies by state institutions such as KPAI, BPS, and LPSK, and international documents such as the Convention on the Rights of the Child (CRC) which has been ratified by Indonesia. This method is used to explore legal principles, principles of child protection, and forms of criminal responsibility of children regulated in the national legal system, and to compare them with law enforcement practices in the field. The analysis was conducted qualitatively by emphasizing logical interpretation of available laws and regulations to find legal loopholes, inconsistencies in application, and potential improvements to the juvenile justice system to be more humane and just.

RESULT AND DISCUSSION

Forms and Patterns of Criminal Acts Involving Minors

Children as perpetrators of criminal acts are an increasingly real phenomenon in modern society. The types of crimes involving children as perpetrators vary, from petty theft, gang fights, and sexual violence, to drug abuse and trafficking. In many cases, these children do not fully understand the legal consequences of their actions, due to age limitations and mental maturity levels. The criminal acts they commit often arise from the influence of the surrounding environment that is permissive to violence or criminality, or even as a form of reaction to the

violence and neglect they experience. This reality reflects an imbalance in parenting patterns, moral education, and social protection systems for children.

The social environment has a significant influence on the development of children's behavior, including their potential to commit criminal acts. Children who grow up in environments full of conflict, violence, extreme poverty, or minimal access to quality education are at higher risk of being involved in crime. In situations like this, children are easily drawn into deviant social groups or influenced by adult figures who exploit their ignorance. This situation is exacerbated by weak supervision from families and educational institutions that should be the initial fortress in the formation of children's character. Children who should receive attention and protection grow up in a reality that kills their positive potential.

Children are also vulnerable to becoming victims of various forms of criminal acts, both in public and private spaces. Cases of child sexual exploitation are still widely found in various regions, both in the form of sexual violence in the household environment, harassment in educational institutions, and child sex trafficking involving criminal networks. In addition, children are also often victims of physical and psychological violence at home, both from parents, siblings, and other adults who should protect them. Bullying that occurs in the school environment and online also adds to the long list of forms of violence experienced by children. This situation shows how weak the current child protection system is in providing a sense of security and the psychosocial support needed.

The exploitation of children as victims of human trafficking and forced labor indicates a systemic failure in social protection. Many children who are promised jobs or education end up becoming victims of human trafficking who are traded across regions or countries. This crime mode is very complex because it involves a syndicate that takes advantage of the desperate economic conditions of the victim's family. In addition, female children are more vulnerable to multiple forms of violence, because they become victims based on both age and gender. When children become victims, the impacts are not only physical injuries but also prolonged psychological trauma that affects their lives into adulthood. Inappropriate handling of victims can worsen this condition and increase the burden on the state in the long term.

Technological developments have also created new spaces for crimes involving children, both as perpetrators and victims. The phenomena of cyberbullying, online sexual exploitation, the spread of violent content, and the involvement of children in digital crime groups are challenges for the law enforcement system. Children who actively use the internet without supervision are easily trapped in dangerous content or communities. In many cases, these crimes go unnoticed because they occur in private spaces or are hidden behind digital platforms that are difficult to monitor conventionally. Cybercrime against children requires a more adaptive and collaborative protection approach between sectors, including digital education for children and parents.

National data and statistics have recorded an increase in cases of children in conflict with the law in recent years. The Indonesian Child Protection Commission (KPAI) routinely releases data showing the high number of children as perpetrators and victims of violence, both in the family, school, and community environments. The Central Statistics Agency (BPS) and the Witness and Victim Protection Agency (LPSK) also provide figures showing a worrying trend in cases of sexual exploitation and gender-based violence against children. In terms of gender, boys are more often recorded as perpetrators of physical violence and fights, while girls are

more often victims of sexual exploitation and violence. The age range of children involved is also quite wide, from elementary school age to early adolescence, showing that this threat is present from an early age.

National data trends show consistently that legal issues for children are not just individual incidents, but part of a structural problem. Inequality in access to education, undiagnosed mental health, and weak social supervision of children are the roots that increase the potential for children to be involved in criminal acts. Statistics also show that the conventional legal approach to children, which emphasizes punishment, is still dominant in many regions. It indicates that most law enforcement officers have not fully implemented a child-friendly and recovery-based approach. This data is critical as a policy evaluation tool but also as a basis for formulating more humane and effective legal policies. The complex situation described through data and analysis of forms of criminal acts involving children should encourage a review of the applicable legal system. Children are not just small individuals who are growing, but also holders of equal rights in the justice system. This understanding needs to be internalized by all stakeholders, including law enforcement officers, education personnel, parents, and the wider community. It is not enough to simply record the numbers and types of crimes, the state must interpret each data as a collective cry of children living in a system that is not yet on their side. Only with a comprehensive approach based on children's human rights can the legal system answer the challenges that arise from children's involvement in the world of crime.

Impact and Challenges of Law Enforcement on Criminal Acts Involving Children

The process of law enforcement on criminal acts involving children often faces fundamental challenges in the form of limited understanding of law enforcement officers regarding the principles stipulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). Not all investigators, prosecutors, or judges have training or an in-depth understanding of different legal approaches to children. Many still use a general criminal law perspective when handling cases involving children, without considering aspects of psychological development and protection of children's rights. This has a direct impact on procedural and substantial injustice in handling cases. Children are often processed like adults, both during the investigation stage and during the trial.

The lack of facilities and infrastructure to support the juvenile justice system is also a serious obstacle. The availability of Special Child Development Institutions (LPKA) is not evenly distributed throughout the region so many children are placed in detention centers or general correctional institutions with adult prisoners. This condition not only violates the principle of non-discrimination and protection of children's rights but can also reshape children's behavior in a worse direction due to interactions with adult criminals. Limited rehabilitation space, lack of child counselors, and the unavailability of proper education programs also worsen the situation. The state has not been optimal in preparing a support system that allows children to truly receive recovery, not just punishment.

Diversion as one of the legal instruments in the juvenile justice system often fails to be implemented effectively. Although Article 7 of the SPPA Law requires diversion efforts to be carried out at every stage of the juvenile criminal justice process, in reality not all parties understand the essence of this principle. Many officials view diversion as merely an administrative formality, not as a substantial recovery mechanism. The involvement of

families, community leaders, or experts in the penal mediation process is also still weak. In fact, the success of diversion is largely determined by the extent to which all parties are sensitive and committed to the children's future.

Restorative justice as the main approach in juvenile cases has also not become a living legal culture at the implementation level. Many officials are still hesitant or even reluctant to take a peaceful approach, citing a lack of technical guidance or the unpreparedness of the victim. In fact, this approach is the best way to restore the relationship between the perpetrator, victim, and the community, while providing a more humane deterrent effect. The inability of the authorities to mediate and educate the community about the importance of recovery makes restorative justice only a concept on paper. The practice that occurs is still predominantly prioritizing punishment and detention.

Another obstacle arises from the inconsistency between international legal norms and implementation at the local level. The Convention on the Rights of the Child (CRC) which has been ratified through Presidential Decree Number 36 of 1990 stipulates that children must be treated specially and must not be arbitrarily criminalized. However, in many cases in Indonesia, violations of this principle still often occur. For example, the use of physical violence during the interrogation of children, protracted legal processes, the publication of children's identities in the mass media. This inconsistency indicates that the implementation of the law does not yet reflect a commitment to the agreed international standards.

The inconsistency between national regulations and practices in the field is also exacerbated by the weak supervision and systematic evaluation of law enforcement officers. Not all law enforcement agencies have special units tasked with handling child cases professionally. Supervision of investigators or prosecutors handling child cases is rarely carried out comprehensively, and evaluation of the success of diversion and recovery programs is still very limited. When procedural violations occur, there is no effective mechanism for providing sanctions or rapid remediation. This creates a culture of impunity in the process of enforcing the law against children.

The role of law enforcement officers is crucial in determining whether children will receive justice or experience re-victimization in the justice system. An investigator who understands the principles of child protection will use a different approach compared to those who do not have legal and psychological sensitivity. Wise prosecutors and judges will put the best interests of children above the demands of punishment alone. Unfortunately, this kind of sensitivity is still not a competency standard in the recruitment or training of law enforcement officers. As a result, the success of the legal system to protect children still depends heavily on the quality of the individual, not on an established system.

Handling criminal acts involving children should not only stop at legal resolution but also consider the broader social and psychological impacts. Children who come into conflict with the law often carry wounds and trauma, both as perpetrators and victims, which require long-term intervention. Rehabilitation and social reintegration programs must run side by side with the legal process so that children can truly return to society with new values. This approach requires collaboration between judicial institutions, social services, medical personnel, and the community. Without such integration, law enforcement will only be an administrative process that loses its essence.

The biggest challenge in enforcing the law against children lies in the courage of the legal system to change and adapt to the needs of children. A system that is too rigid and bureaucratic finds it difficult to answer the dynamics of cases involving children, which often have complex social, economic, and cultural dimensions. A more adaptive and personal approach is needed, without ignoring the principle of justice. This is not just about regulation, but about forming a legal ecosystem that can understand and answer the reality of children's lives in society. When the law can see children as growing human beings, not just legal subjects, then true justice begins to find its form.

CONCLUSION

Criminal acts involving children, whether as perpetrators or victims, are complex phenomena that cannot be resolved with a legal approach alone. The juvenile criminal justice system in Indonesia has experienced normative progress through the presence of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, which seeks to make the restorative justice approach and the principle of diversion the main foundation in handling juvenile cases. However, in its implementation, many obstacles are still found, ranging from the lack of understanding of law enforcement officers, limited supporting facilities and infrastructure, to inconsistencies between regulations and field realities. Children are often still treated in repressive ways that are detrimental to their growth and development process. When the legal system is unable to provide justice that is in the best interests of children, then the legal protection framework has not been running fully and effectively. Comprehensive reform is needed in the practice of law enforcement against children, which is not only based on improving regulations but also on strengthening the capacity of human resources directly involved in the juvenile criminal justice process. Continuous training based on a multidisciplinary approach must be provided to police officers, prosecutors, judges, and officers of child development institutions. The state must also ensure the availability of adequate infrastructure, such as LPKA, and access to psychosocial services for children in conflict with the law. Collaboration between institutions such as KPAI, the Ministry of PPPA, LPSK, and non-governmental institutions must be strengthened to build a comprehensive and integrated child protection ecosystem. In the long term, legal education that instills values of justice and empathy for children from an early age is also a critical foundation so that society can contribute to creating a safer, fairer, and more pro-future social environment for Indonesian children.

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