


# The Effectiveness of Restorative Justice Implementation in the Settlement of Juvenile Criminal Cases in the Jurisdiction of Mataram City

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ARTICLE INFO	ABSTRACT
<p><b>Article history</b></p> <p>Received: April 05, 2025 Revised: April 07, 2025 Accepted: May 14, 2025 Published: May 20, 2025</p> <p><b>Keywords</b> Restorative Justice Juvenile Crime Justice Legal System Mataram City</p> <p> License by CC-BY-SA Copyright © 2025, The Author(s).</p>	<p>The handling of juvenile criminal cases requires a different approach from conventional criminal justice systems, considering that children are individuals still undergoing development. The application of restorative justice offers an alternative means of resolving juvenile criminal cases by prioritizing the restoration of social relationships, accountability of the offender, and protection of children's rights. This study aims to analyze the effectiveness of restorative justice implementation in resolving juvenile criminal acts within the jurisdiction of Mataram City, by examining the process, challenges, and its impact on offenders, victims, and the community. This research employs an empirical juridical approach, utilizing data collection methods such as interviews, document analysis, and observations of several cases resolved through restorative justice mechanisms. The findings indicate that the implementation of restorative justice in Mataram City is relatively effective in diverting children from lengthy legal proceedings and promoting more humane and just resolutions. However, its effectiveness is still influenced by factors such as law enforcement officers' understanding, community involvement, and the availability of supporting facilities. Therefore, it is necessary to enhance institutional capacity and inter-agency synergy to support the optimal implementation of restorative justice.</p>
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## INTRODUCTION

Handling children in conflict with the law has become a global concern in recent decades. Children cannot be treated the same as adults because their physical, mental, and emotional development is not yet fully mature. Improper treatment of children within the criminal justice system can have a negative impact on their future, including psychological, social, and educational aspects. Therefore, juvenile justice systems in various countries, including Indonesia, have increasingly shifted toward child-friendly approaches that prioritize restorative principles.

In the Indonesian context, this restorative approach is concretely manifested through the implementation of restorative justice. Restorative justice is an alternative paradigm within the criminal justice system that emphasizes the restoration of losses experienced by victims, the accountability of offenders, and active community participation in resolving conflicts resulting from criminal acts. This approach focuses on repairing social relationships and healing rather than solely on punishment (Zehr, 2002).

The application of restorative justice to children in conflict with the law is crucial, as it allows case resolution outside the formal justice system. This aligns with the principles of child protection and efforts to shield children from the negative effects of a lengthy and stressful legal process. In Indonesia, the legal framework for restorative justice is reinforced through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, which introduces the concept of diversion as a form of restorative justice implementation.

Diversion is the redirection of a child's case resolution from criminal proceedings to an alternative process outside the court system, involving the offender, the victim, their families, and the community.

Through mediation and dialogue, all parties are expected to reach a fair and satisfying resolution. This approach not only aims to keep children out of prison but also encourages them to take responsibility for their actions and repair the harm done to victims (Wiyanto, 2017).

However, in practice, the implementation of restorative justice does not always proceed smoothly. The main challenges often encountered include a lack of understanding among law enforcement officials regarding the concept of restorative justice, limited facilities and supporting resources, and minimal community participation in the mediation process. Furthermore, not all victims are willing to engage in restorative processes due to trauma or a lack of trust in the effectiveness of this approach.

In several regions of Indonesia, the implementation of restorative justice has shown positive results. Some juvenile criminal cases have been successfully resolved without going through court proceedings, enabling children to reintegrate into their social environment without stigma. However, the effectiveness of this approach heavily depends on the readiness of legal institutions, cross-sectoral collaboration, and the local wisdom of communities. This highlights the importance of empirical research that illustrates how restorative justice is implemented at the local level.

Mataram City, the capital of West Nusa Tenggara Province, presents an interesting case for research in this context. With its diverse socio-cultural characteristics and evolving legal dynamics, Mataram City serves as a critical example in assessing the effectiveness of restorative justice at the regional level. In this city, law enforcement agencies such as the police, prosecution, and juvenile courts have begun to adopt restorative justice principles, though the outcomes still require deeper examination.

This research aims to analyze the extent to which restorative justice is effective in resolving juvenile crimes in Mataram City. The main focus includes the implementation process, the actors involved, the obstacles encountered, and its impact on the offender, the victim, and the community. Using a juridical-empirical approach, this study combines normative legal analysis with field data gathered through interviews, observations, and document studies.

Assessing the effectiveness of restorative justice is essential, as it pertains to the future of children and the quality of the criminal justice system in Indonesia. If this approach proves to be effective, expanding and strengthening its supporting systems becomes a strategic step in reforming juvenile criminal law. Conversely, if significant obstacles are identified, policy evaluations and improvements will be necessary to ensure that this approach truly upholds child protection principles.

One crucial aspect to examine in depth is law enforcement officers' perceptions of restorative justice. In some cases, officers still prefer a repressive approach, viewing it as quicker and more decisive. However, in juvenile cases, repressive measures can lead to long-term trauma and worsen children's psychological conditions. Therefore, training and capacity-building for law enforcement personnel are critical in implementing this policy (UNICEF Indonesia, 2021).

In addition, local community involvement, including traditional and religious leaders, plays a vital role in the success of restorative justice. Communities that uphold values of deliberation and mutual cooperation can serve as effective facilitators in conflict resolution processes. In regions like Mataram, where local culture remains strong, community-based approaches are particularly relevant for rebuilding trust between offenders and victims.

Another important factor is the role of child protection institutions and civil society organizations in assisting children throughout the resolution process. These institutions can provide psychological and legal support and ensure that the restorative justice process aligns with child protection principles. Collaboration between governmental and non-governmental institutions is key to maintaining the quality of the restorative process.

From the victim's perspective, restorative justice can serve as a means to express feelings and needs directly to the offender. In some cases, victims feel more satisfied as they receive clarity, an apology, and concrete accountability from the offender. This contrasts with the formal justice system, which often does not allow victims to participate actively (Braithwaite, 2002).

Nevertheless, achieving success in this process is not always easy. Dialogue and mediation require the willingness of both parties and a competent facilitator. If this process is forced or conducted without emotional readiness from those involved, the results can be counterproductive. Therefore, it is essential to ensure that restorative justice is carried out voluntarily and based on mutual agreement.

Ultimately, this research is expected to contribute to the development of juvenile justice policy in Indonesia, particularly within the local context of Mataram City. The findings will not only reflect the practical realities on the ground but also offer policy recommendations grounded in data and actual needs. In this way, a justice system that prioritizes the rights and well-being of children can be realized more fully and sustainably.

## **METHOD**

This study employs an empirical juridical method, which is a legal research approach that examines law not only as written norms (law in books), but also as a form of social behavior prevailing in society (law in action). This approach was chosen because the research does not solely discuss the normative provisions regarding restorative justice, but also explores its practical implementation, particularly in cases of juvenile delinquency within the jurisdiction of Mataram City.

### **1. Research Approach**

The approach used in this study is a qualitative approach with a descriptive-analytical type of research. This research aims to systematically describe the implementation of restorative justice by law enforcement officials in the city of Mataram and to analyze the extent to which this approach is effective in resolving juvenile criminal cases. The study also evaluates the supporting and inhibiting factors in its implementation.

### **2. Research Location**

The research was conducted within the jurisdiction of Mataram City, West Nusa Tenggara Province. This location was chosen because it has implemented restorative justice mechanisms in several cases involving children in conflict with the law. The focus of the research includes institutions involved in handling juvenile cases, such as the Mataram Police Resort, the Mataram District Attorney's Office, the Mataram District Court, and the Women and Children Protection Unit (PPA).

### **3. Sources and Types of Data**

The types of data used in this research include:

- a. Primary data, which is obtained directly from the field through interviews with law enforcement officers, perpetrators, victims, parents of perpetrators/victims, community leaders, and child advocates.
- b. Secondary data, which is collected from legal documents (Law No. 11 of 2012, Supreme Court Regulations, SOPs of related institutions), academic journals, government and NGO reports, as well as relevant literature.

### **4. Data Collection Techniques**

Data collection was carried out using the following methods:

- a. In-depth interviews with key informants, including police investigators, public prosecutors, juvenile judges, officers from the Correctional Center (Bapas), child protection agency advocates, and community leaders involved in the mediation process.
- b. Direct observation of the implementation of restorative justice processes, such as diversion or mediation sessions between the offender and the victim.
- c. Document study of juvenile case files, annual reports of law enforcement agencies, and archival decisions related to cases resolved through restorative justice.

### **5. Data Analysis Technique**

The data analysis was conducted qualitatively by classifying and interpreting the data based on thematic categories relevant to the research focus. The analysis process began with data collection, followed by data reduction, data presentation, and finally, drawing conclusions. The data obtained from the field were then linked to existing theories and legal frameworks to assess the alignment between normative standards and practical implementation.

### **6. Data Validity**

To ensure the credibility of the data, this study employed source and method triangulation techniques, namely by comparing data obtained from various informants and different data collection methods. This approach aims to obtain a comprehensive understanding and to avoid bias from a single source. Data validation was also carried out through cross-checking between interview results and official documents.

## **7. Research Subjects and Informants**

The subjects of this research are cases of juvenile criminal offenses that have been resolved through a restorative justice approach. The informants in this study include:

- a. Law enforcement officers (investigators, prosecutors, juvenile judges)
- b. Social workers and officers from the Correctional Center
- c. Victims and perpetrators of juvenile crimes
- d. Parents/guardians of the child
- e. Child Protection Institutions or relevant NGOs
- f. Customary or community leaders involved in the mediation process

## **RESULTS AND DISCUSSION**

### **1. Implementation of Restorative Justice in Handling Juvenile Delinquency in Mataram City**

The application of restorative justice in the juvenile justice system in Mataram City has generally been in line with the mandate of Law No. 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA). The primary objective of this approach is to achieve restorative justice rather than punishment, and to avoid subjecting children to repressive legal processes. Based on observations and interviews with law enforcement officers, the process of resolving juvenile delinquency in Mataram City has made efforts to prioritize the best interests of the child.

Diversion becomes the main instrument in implementing restorative justice. This process can take place at various stages, from investigation at the police, prosecution at the public prosecutor's office, to examination in court. Interviews with the Women's and Children's Protection Unit at Mataram Police Station showed that the police tend to seek resolution through diversion when normative requirements are met, such as the offender being under 18 years of age, the threat of punishment being less than 7 years, and not being a recidivist (Interview, 2024).

### **2. Performance of Diversion Process in Practice**

During the 2022–2024 period, the Mataram District Attorney recorded that out of 85 juvenile delinquency cases, 56 were successfully resolved through the diversion process. This figure reflects a success rate of 65.8%, which is relatively high. This success is attributed to a collaborative approach between investigators, prosecutors, community advisors from the Correctional Center, and companions from the Child Protection Agency.

An important factor in the success of diversion is the willingness of both the victim and the perpetrator to reconcile. In several cases of petty theft, for instance, victims tended to agree to resolve the issue amicably, with the condition that the perpetrator admits their actions and apologizes directly. The researcher noted that resolving the issue through mediation provides an opportunity for the victim to gain clarity and for the perpetrator to take responsibility without undergoing a stigmatizing trial process (Zehr, 2002).

### **3. Role of Supportive Institutions and Local Wisdom**

The success of this approach is also strongly influenced by the role of non-formal institutions, such as customary leaders and the community. In Sasak society, values such as *begundem* (deliberation and consensus) and family-based dispute resolution have become a tradition. This value resonates strongly with the principles of restorative justice. The involvement of customary leaders in mediation serves as a strength because they are considered neutral figures who are respected by both parties.

The Child Protection Agency NTB also plays a significant role by providing psychosocial support for children, organizing child-friendly mediation spaces, and educating the families of both the victims and the perpetrators. With this approach, children are not only removed from the criminal justice system but are also directed towards rehabilitation and social reintegration processes.

#### 4. Analysis of the Effectiveness of Restorative Justice

The effectiveness of applying restorative justice in this context can be reviewed from several dimensions: legal, social, and psychological. Legally, the diversion process reduces the burden on the judiciary and prevents over-criminalization of children. Socially, dialogue-based resolution reduces ongoing conflicts in the community. Psychologically, children who undergo restorative processes tend to experience less mental pressure compared to those going through formal criminal proceedings (Sugama *et al*, 2024).

However, the effectiveness of this approach is still partial and depends on the conditions of each case. There are several cases where diversion failed because the victim or their family refused to reconcile, or because law enforcement officers lacked adequate training to handle sensitive mediation processes. This indicates that although legal norms are in place, implementation on the ground still faces technical and cultural challenges.

#### 5. Challenges and Obstacles in Implementation

Some obstacles identified in the implementation of restorative justice include:

- a. Lack of understanding among victims and families about the concept of restorative justice. Many still see peaceful resolution as a form of "impunity" for the perpetrator.
- b. Limited capacity of officers and facilitators. Not all law enforcement officers have specialized training in mediation principles and child accompaniment.
- c. Inadequate mediation facilities, especially at the police and prosecutor levels, which results in mediation being conducted in places that are not child-friendly.
- d. The absence of a post-diversion monitoring system, so in some cases, children do not receive adequate follow-up in the form of rehabilitation or character education.

#### 6. Comparison with Other Regions

Compared to other regions in Indonesia, such as Yogyakarta or Bandung, which have integrated services for children facing the law, Mataram City still needs institutional strengthening. Although the diversion success rate is quite high, there is no long-term tracking system for children post-diversion. This is important to ensure that the recovery process is comprehensive and does not stop at mediation alone (Sulistyo, 2021).

#### 7. Reflection on the Goals of Restorative Justice

The primary goal of restorative justice is reconciliation and social reintegration. In the context of Mataram City, this approach has already shown progress towards that goal. However, it is important to note that the success of restorative justice is not only marked by achieving peace but also by the behavioral changes in the child and their acceptance back into the community. Therefore, post-diversion monitoring is a crucial aspect to be considered by all parties.

### CONCLUSION

The implementation of restorative justice in the resolution of juvenile criminal offenses within the legal jurisdiction of Mataram City has shown a significant effectiveness in achieving a more humane justice system, oriented towards the best interests of children. This approach has provided a more constructive alternative to the conventional criminal justice process, particularly through the diversion mechanism, which encourages the resolution of cases outside the formal judicial path based on deliberation and mutual agreement.

The success rate of diversion, which exceeds 60% in Mataram City, indicates that law enforcement agencies, such as the police, prosecutors, and supporting institutions like the Correctional Center and Child Protection Agencies (LPA), have played an essential role in facilitating mediation and rehabilitation processes. This success is also supported by the local wisdom of the Sasak community, which emphasizes family values and peaceful conflict resolution.

However, the effectiveness of restorative justice is not yet fully optimized due to various challenges, such as the lack of understanding by victims and their families regarding the concept of restorative justice, the limited capacity of authorities, and the absence of a sustainable monitoring system for children after

diversion. Furthermore, the success of this approach heavily depends on the willingness of all parties to actively participate in the rehabilitation process.

Therefore, strengthening institutional frameworks, enhancing human resource capacity, and fostering cross-sectoral synergies are essential to ensure that restorative justice not only serves as a temporary solution but also becomes a foundation for the development and social reintegration of children in conflict with the law. This approach is expected to transform the juvenile justice paradigm into one that is more just, educational, and holistic in building a child's future.

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