

Realizing Restorative Justice: Strengthening Job Training as a Criminal Sanction for Children in Conflict with the Law in Indonesia

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ABSTRACT

Job training as a criminal sanction for children in conflict with the law is a restorative justice approach that aims to rehabilitate and empower children while ensuring they take responsibility for their actions. However, its implementation in Indonesia is hindered by various challenges, such as the need for more specific policies, limited training infrastructure, and community stigma towards juveniles serving sentences. This research is focused on analyzing the policy strengthening and strategies needed to ensure the effectiveness of job training as a criminal sanction. The research methodology involves an empirical juridical method with a descriptive-analytical approach. Data is gathered from a literature review that includes legislation, policy documents, and related research findings, supplemented by the results of field research sourced from primary data. The analysis is centered on identifying the main obstacles in implementing job training and exploring solutions based on the principles of restorative justice. The results highlight the need for a more specific and comprehensive policy, the development of child-friendly infrastructure, and the improvement of human resource competencies to strengthen job training as a criminal sanction. It also underscores the importance of collaboration in successfully implementing job training, as this can significantly benefit children and society.

1. Introduction

Children in conflict with the law are a vulnerable group often caught up in a web of complex social and legal dynamics that are more intricate than those faced by adults (ASEAN Intergovernmental Commission on Human Rights (AICHR), 2023). Handling children in the legal process requires unique approaches, services, treatment, care, and protection to provide legal protection for children in conflict with the law (Desai, 2020). In Indonesia, the handling of children in conflict with the law in the criminal justice system still poses significant challenges, both in terms of protecting their rights and in the approach used to deal with the legal problems they face (Yogi Hardiman, Siti Kotijah, 2019). The criminal justice system in Indonesia, although it has adopted the principles of restorative justice, still tends to emphasize a retributive, punitive approach that has the potential to worsen the psychological and social conditions of children in conflict with the law. This situation is crucial for policymakers, legal professionals, and social workers. Handling children in conflict with the law that leads to imprisonment can cause them to be isolated from society, lose opportunities to develop socially and economically, and risk repeating criminal acts in the future (Sukanto et al., 2023). Therefore, there is a need for a more rehabilitative and restorative approach to dealing with children in conflict with the law. Therefore, there is a need for a more rehabilitative and restorative approach in dealing with children in conflict with the law so that they can return to society, bringing positive changes, not social stigma or the potential to re-offend.

One approach gaining attention is job training as an alternative to traditional criminal punishment (Rawanda & Ul Islam Rawanda, 2021; Verstraeten, 2016). This alternative punishment has had a juridical foundation since the issuance of Law No. 11/2012 on the Juvenile Criminal Justice System. The most fundamental substance is the explicit regulation of restorative justice, which is an effort to make peace, restore relationships, and make amends that the perpetrator of a crime wants to make to the victim outside the court (Sarwadi & Bawono, 2021). This approach offers a promising future for juvenile justice reform, aiming to resolve legal problems by reaching an agreement between the parties. In this context, vocational training is part of the effort to create a justice system that focuses more on recovery and rehabilitation, aligning with restorative justice principles.

However, although job training can be considered a more humane and rehabilitative alternative, its implementation in Indonesia still needs to improve. One of the main problems is the absence of a clear and comprehensive legal formulation of job training as part of criminal sanctions for children in conflict with the law (Unicef, 2009). In addition, the lack of coordination between judicial institutions, educational institutions, and the industrial sector is also a significant obstacle to implementing job training programs effectively and evenly throughout Indonesia. To address these challenges, it's crucial to emphasize the need for interdisciplinary collaboration between these sectors, as each has a unique role to play in the successful implementation of job training in the juvenile justice system.

While several studies have discussed the juvenile criminal justice system in Indonesia, there is a pressing need

for more comprehensive analysis. Few studies specifically discuss how to strengthen job training as part of criminal sanctions in the context of restorative justice. Most existing research has focused on prison sentences or other retributive approaches without emphasizing job training as a more sustainable and rehabilitative solution. In addition, although there have been several initiatives to integrate job training into the criminal justice system, there have been no studies that have analyzed in depth the effectiveness of these job training programs, both in terms of the development of children in conflict with the law and their impact on the criminal justice system itself. Existing research tends to be sectoral and limited to specific approaches, thus failing to provide a comprehensive picture of how job training should be formulated as part of a fairer and restorative criminal justice system.

The importance of this research lies in exploring how the formulation of job training can be strengthened as an alternative to imprisonment for children in conflict with the law in Indonesia. Using a restorative justice approach, this research is expected to contribute to designing better policies for children in conflict with the law. With a restorative justice approach, this research is expected to contribute to designing better policies for children in conflict with the law, prioritizing punishment and their rehabilitation and social reintegration.

This research is particularly relevant in Indonesia, which still faces significant challenges regarding education and vocational training facilities for children and is still bound by a legal paradigm that often focuses more on punishment. The need for practical job training is urgent, as it can provide solutions to the problems faced by children in conflict with the law, including drug abuse, poor socialization, and the inability to find decent work upon release from correctional institutions. In addition, this research is also necessary to provide input for developing a more humane criminal justice system based on the principles of restorative justice. By strengthening job training in the formulation of criminal sanctions for children in conflict with the law, it is hoped that Indonesia can transform into a country with a justice system that pays more attention to rehabilitating children and encourages them to become productive and responsible individuals.

2. Research Method

This research uses an empirical juridical approach and is classified as qualitative research (Noor, 2023). The qualitative approach was chosen because it is more flexible in exploring meaning and a more holistic understanding of the phenomenon. It can provide greater insight into the practices and challenges in implementing this policy. The comprehensive nature of this research ensures that all aspects of the topic are thoroughly explored, providing a robust foundation for the findings.

The type of research used in this study is descriptive-analytical research. Descriptive research aims to describe the conditions and practices surrounding vocational training as a criminal sanction for children in conflict with the law in Indonesia, both from a legal perspective and implementation in the field. The analytical approach, on the other hand, plays a crucial role in analyzing various factors that influence the effectiveness of job training as part of the juvenile criminal justice system. It also provides policy recommendations that can significantly strengthen the implementation of job training, thereby realizing restorative justice.

Data sources come from primary and secondary data. Primary data was obtained through interviews with legal practitioners. Meanwhile, secondary data was obtained by studying legal documents such as Law No. 11/2012 on the Juvenile Criminal Justice System, Law No. 23/2002 on Child Protection, and other implementing regulations. This research also uses document studies in literature related to job training and Indonesia's juvenile criminal justice system. These documents will explore the existing legal and policy framework and obtain additional information supporting the research analysis.

In this research, the data obtained will be analyzed using descriptive qualitative analysis techniques. With a qualitative approach, the data will be analyzed in depth to understand the meaning and implications of the findings. The researcher's role is pivotal in analyzing whether job training can be a more effective and rehabilitative criminal sanction for children in conflict with the law. Based on the data, the analysis will also focus on how job training can strengthen restorative justice in the juvenile criminal justice system.

3. Discussion

Job Training as an Alternative to Criminal Sanctions for Children: A Restorative Perspective

Article 71 paragraph (3) of Law Number 11 Year 2012 on Juvenile Criminal Justice System states that the fine can be replaced with job training for children who are sentenced to cumulative punishment in the form of imprisonment and refined. Job training punishment is the main punishment as stated in Article 71 paragraph (1) letter c in Law Number 11/2012 on Juvenile Criminal Justice System. Job training punishment is carried out in

Special Correctional Institution for Children, Protection and Rehabilitation Center, Job Training Center, and other institutions that carry out job training. This work training punishment can be imposed by the judge directly as a criminal sanction but can also be imposed as a punishment instead of fines. Children in conflict with the law who are threatened with cumulative punishment in the form of imprisonment and fines can replace the fine with vocational training.

The search found that in 2021, 2022, and 2023, in several regional courts, such as Yogyakarta, Semarang, Purworejo, and Blitar, several children in conflict with the law were sentenced to vocational training. During the three years from 2021 to 2023, 41 children were sentenced to job training in Yogyakarta, 12 children in Semarang, four children in Purworejo, and 16 children in Blitar. Cases of children in conflict with the law are influenced by various factors, including promiscuity, the influence of mass media, which is getting stronger along with technological developments, and family factors, which are the main root of the problem. It's crucial to understand and address these family factors, as they are often the main root of the problem. As a settlement measure, the district court handling this case decided to impose a sentence in the form of job training, a step towards a more empathetic approach to juvenile justice.

Training is a systematic learning process that includes improving skills, mastery of knowledge, and changing behavior to improve performance (Suparyadi, 2020). Training also means teaching someone the basic skills they need to do their job (Dessler, 2021). Meanwhile, work is an activity carried out by someone to produce something of value, whether in the form of goods, services, or other benefits. Work refers to the physical, mental, or intellectual effort that a person makes to achieve a specific goal, whether it is to earn income, complete a task, or contribute to the achievement of a goal or project that can be formal (such as work in an office or factory) or informal (such as household chores and small businesses).

Based on these definitions of training and work, job training is more about developing a person's competence to work effectively and efficiently in a particular field. Job training has several main objectives (Goulart et al., 2022):

1. **Improving Skills:** Providing participants with the skills necessary to perform a specific job well in technical and non-technical areas.
2. **Meeting Labor Market Needs:** By providing training, participants are trained to be ready to face the challenges in the ever-evolving world of work.
3. **Increasing Competitiveness:** On-the-job training helps participants to have the skills desired by employers, thus increasing the chances of getting a better job.
4. **Social and Economic Rehabilitation:** In the context of children in conflict with the law, vocational training is a powerful tool for their rehabilitation. It equips them with the skills and knowledge to be financially independent after leaving the justice system, instilling a sense of hope and optimism for their future.

In the context of juvenile criminal justice, job training refers to programs that aim to provide work skills to children in conflict with the law (Snehil & Sagar, 2020). Job training provided to children in conflict with the law is often implemented in a more structured form with the aim of rehabilitation, improving behavior, reducing the risk of relapse, and preparing children for social reintegration after the judicial process. Job training can be a very effective instrument in supporting children's recovery process in conflict with the law. The critical role of job training in the recovery and rehabilitation of children in conflict with the law includes:

- a. **Character building:** Job training can help children develop a more positive character and change their previously problematic behavior into a good personality, discipline, responsibility, and respect for time and effort to be better and more beneficial to their environment. Structured and planned activities in job training provide opportunities for children to apply these principles in their daily lives. Children previously involved in harmful or criminal behavior can begin to learn to work diligently, fulfill tasks, and work in teams, all of which are part of changing their behavior.
- b. **Teaches integrity;** Job training teaches children the values of hard work and integrity. In this case, children can learn to feel satisfaction from the results of their hard work, which can replace the urge to commit criminal acts. Character building through job training can serve as one way to prevent a child's relapse or involvement in criminal behavior in the future.
- c. **Social reintegration and stigma:** Job training for children in conflict with the law is a key tool in reducing the social stigma these children face. By providing opportunities for them to learn new skills and work in a

structured environment, job training helps rebuild their confidence and self-esteem. It's not just about the skills they learn, but about the understanding and acceptance they gain from society. Children who participate in job training are more accepted because they are committed to self-improvement and acquiring valuable skills. This acceptance helps them interact more positively with others and strengthens their social relationships with their families and the wider community.

Job training, a crucial aspect of vocational training, is instrumental in promoting economic independence among children in conflict with the law. It equips them with job skills that are relevant to the labor market, such as carpentry, tailoring, catering, computers, or graphic design. This economic independence is not just a theoretical concept, but a practical reality, as children with valuable work skills can more easily find employment and avoid the temptation to re-offend. Economic independence allows them to support themselves financially and reduces the social pressure they may experience if they remain dependent on others.

Job training plays a massive role in the recovery and rehabilitation process of children in conflict with the law. These training programs not only provide technical skills that are useful in the world of work but also help children to develop better character, reduce social stigma, and most importantly, promote independence. By giving them the tools and confidence to stand on their own feet, job training empowers these children to take control of their lives and build a better future. This is a key step in reducing social stigma and increasing economic independence.

Policies and Strategies for Strengthening Job Training as a Criminal Sanction

Job training as a criminal sanction for children in conflict with the law has the potential to provide rehabilitative and reintegrative benefits (Rotabi et al., 2019). However, without comprehensive policy and strategy reinforcement, the purpose of this punishment is at risk of not being appropriately achieved. Reinforcement, in this context, is a deliberate response to a behavior aimed at encouraging its repetition (Barnawi, Arifin, 2018). It's crucial that we act swiftly and decisively to address this issue. Strengthening this policy is not just a matter of setting implementation standards and ensuring children's rights. It also requires active participation from all stakeholders involved in the juvenile justice and rehabilitation system. Their involvement is crucial in shaping and implementing effective job training programs as a criminal sanction.

Implementation standards should outline job training procedures, from identifying eligible children to program implementation and evaluation of training outcomes. The policy should incorporate child protection principles under the Convention on the Rights of the Child, such as the right to education, non-discriminatory treatment, and the right to be heard. It's crucial that policies facilitate and encourage cooperation between the government, private sector, educational institutions, and civil society in supporting job training. This collaborative approach is essential to ensure that job training is not just a punishment, but a tool for restoring children, providing life skills, and facilitating their social reintegration.

Strengthening job training as a criminal sanction for children in conflict with the law requires more than just policies (Dabir, 2008). It demands targeted strategies and specific actions. These strategic steps, when implemented, can significantly enhance the effectiveness of job training as a criminal sanction for children. Some of these steps include:

1) Development of a More Comprehensive Policy

Developing a more comprehensive policy on job training for children in conflict with the law is a crucial step to ensure the effectiveness and success of this program. The government needs to design specific policies covering various aspects, such as implementation standards, training types, and clear success indicators. Implementation standards should be formulated in detail to ensure consistency across regions. It includes procedures for identifying eligible children, the training methods used, and ongoing evaluation mechanisms. In addition, the types of training offered should be diverse, catering to the interests, talents, and needs of the labor market. This approach ensures that children acquire relevant skills and have more significant opportunities to contribute to society.

The policy also needs to integrate the principles of restorative justice, where the focus is on restoring social relationships and providing opportunities for children to make amends. Job training should be designed not as a punishment but as a means of rehabilitation that facilitates the social reintegration of children with dignity. In addition, the policies developed should be oriented toward children's needs, including considering their psychological, social, and educational conditions. The government also needs to set success indicators, including skills improvement, employment sustainability rates, and social reintegration of children after training. With a

comprehensive policy, job training can effectively support child rehabilitation and promote inclusive community development, demonstrating our empathy and care for these children.

b. Infrastructure Capacity Building

Urgently, we need to improve the infrastructure capacity to support job training for children in conflict with the law. The construction and development of child-friendly vocational training institutions should be a top priority to ensure the program is effective and achieves its objectives. Job training facilities should be designed to meet children's educational, psychological, and social needs. Infrastructure design must create an environment that is safe, comfortable, and supportive of children's development. It includes interactive classrooms, practical skills laboratories, and counseling areas that can help children overcome trauma or psychological distress resulting from their legal experiences.

The training programs should be diverse and tailored to each child's interests, talents, and potential. This inclusive approach ensures that every child's unique needs are met. For example, technical skills training such as tailoring, carpentry, or information technology can be provided for children interested in these fields (Noor et al., 2023). It is also essential to provide non-technical programs such as training in time management, communication, and other life skills that can help children adapt to society after completing the program.

Infrastructure capacity building also includes providing competent teachers and trainers who are experts in technical skills and can support children's emotional and social aspects. Investing in specialized training for these assistants and trainers will ensure a holistic approach to implementing job training programs. With adequate infrastructure development, job training institutions can optimally function as places for children's rehabilitation, education, and empowerment. However, it's crucial to note that the support doesn't end when the program does. Ongoing monitoring and support are necessary to ensure successful social reintegration and to prevent relapse into criminal behavior.

c. Improving human resource competencies

Improving the competence of human resources is a critical component in implementing practical job training for children in conflict with the law. Specific training for child mentors and facilitators should be part of the priority program to ensure its success. Therefore, they need to understand the appropriate psychological approach to dealing with children who may be experiencing trauma or emotional distress as a result of their involvement in the justice system. This includes understanding the child's emotional needs, trust-building strategies, and the crucial role of facilitators in creating a safe and supportive environment.

In addition, facilitators need to be competent in education, including child-friendly teaching methods. It includes the ability to design training programs that are engaging, relevant, and tailored to children's potential. The training should include practice-based learning techniques, which allow children to learn through hands-on experience and build skills valuable in the world of work.

Training for mentors and facilitators should include comprehensive modules on children's rights and restorative justice principles. This knowledge will empower them to contribute to creating programs that not only discipline but also restore. In addition, this training should include developing interpersonal communication skills to ensure positive interactions and build children's motivation. With the continuous improvement of human resource competencies, assistants and facilitators can fulfill their roles to the fullest, support children undergoing rehabilitation, and prepare them for successful social reintegration.

d. Collaboration with Stakeholders

Strong collaboration between various parties is essential to support the successful implementation of job training as a criminal sanction for children in conflict with the law. The synergy between the government, judicial institutions, the private sector, and civil society can create an ecosystem that supports children's rehabilitation and social reintegration. The government is a policy regulator and provider of job training facilities. A transparent and inclusive policy can be a foundation for all parties to work together. On the other hand, judicial institutions are tasked with ensuring that job training sanctions are applied fairly and to the needs of children.

The private sector, through its collaboration, provides concrete opportunities for children to apply the skills they learn during training. This can range from apprenticeship programs to direct employment opportunities. By involving private companies in the design of job training curricula, the training becomes more relevant to labor market needs, ensuring that children have the skills needed for employment. The private sector's strategic role in this process cannot be overstated.

Civil society, including non-governmental organizations and local communities, is a vital part of this collaborative effort (Sary et al., 2024; Sulaiman et al., 2024). Their role in providing social and psychological support to children, as well as their contribution to public awareness campaigns, is crucial. By reducing stigma against children in conflict with the law, they help these children feel accepted back into the social environment (Sutikno et al., 2024). Their collaboration, including the provision of funds or resources, is instrumental in supporting the development of job training facilities.

e. Tailoring Programs to Children's Needs

The key to successful rehabilitation and social reintegration of children in conflict with the law lies in tailoring job training programs to their individual needs. This approach, based on a comprehensive individual assessment, ensures that training programs are personalized, relevant, and effective. By focusing on each child's interests, talents, and potential, we can design programs that truly meet their needs.

Individual assessments aim to understand the child's background, including their educational experience, skills, and interests that can be developed. With this information, training programs can be tailored, for example, providing information technology training for children interested in technology or carpentry training for children with manual skills. In addition to relevance, training programs should also be designed to interest and motivate children. Engaging programs can use project-based or hands-on learning methods so that children feel involved and motivated to learn. Modern tools and real-world simulations can add to the program's appeal.

These adjustments, particularly the focus on tailored programs, play a significant role in overcoming barriers such as a child's lack of confidence or low motivation. By providing an appropriate program, children gain technical skills and experiences that increase their confidence and ability to adapt to society. A relevant and engaging program not only increases children's active participation in the training but also supports the success of training as a rehabilitation mechanism. It strengthens children's potential and provides them with better opportunities to build a productive future. These adjustments ensure that job training becomes a means of empowerment rather than punishment.

f. Anti-Stigma Campaign

An anti-stigma campaign is a strategic step needed to support children in conflict with the law in the process of rehabilitation and social reintegration. The government and society must work together to raise public awareness about giving these children a second chance. The negative stigma that often sticks can be a severe obstacle for them to rebuild a better life. This campaign must be designed to educate the public that children undergoing job training are not threats but rather individuals who need support to improve themselves. The messages conveyed need to emphasize that job training is not just a punishment but a means of empowerment that provides them with the skills and opportunities to become productive members of society.

The government can utilize various media, such as television, radio, social media, and community-based campaigns, to spread these positive messages. Involving public figures, such as community leaders or celebrities, in the campaign can help increase its reach and influence. However, the success of this campaign also relies on your active participation. At the community level, educational programs can be implemented to encourage residents to support these children directly. Activities such as workshops, public discussions, or exhibitions of children's work who have undergone job training can effectively change negative public perceptions.

Anti-stigma campaigns must involve the private sector, educational institutions, and civil society organizations. This collaboration is crucial in creating more significant opportunities for children after they complete the training. With this collective effort, the stigma against children in conflict with the law can be reduced, allowing them to be accepted back into society and supporting a more effective reintegration process.

g. Monitoring and Evaluation

Monitoring and evaluation are essential in implementing job training programs for children conflicted with the law. An integrated monitoring and evaluation system needs to be developed to ensure that the program runs according to the objectives set and positively impacts children. Monitoring is carried out routinely during the job training process. This system must include a transparent and accurate reporting mechanism, starting from the level of child participation and the quality of training provided to the child's response to the program. This data allows stakeholders to identify obstacles or problems that may arise during the program's implementation and immediately take corrective action.

Evaluation, on the other hand, focuses on measuring the results and impact of the program. Evaluation indicators

should include aspects such as increased child skills, the level of success of social reintegration, and job opportunities achieved after training. This evaluation also needs to consider the psychological and social dimensions of the child to assess the extent to which the training helps them recover and develop holistically.

Data from monitoring and evaluation are essential not only for assessing the success of the program but also as a basis for developing future policies and programs. By analyzing this data, the government and related institutions can identify aspects that need to be improved, such as more relevant types of training, more adequate infrastructure, or a more child-friendly approach. An effective monitoring and evaluation system requires collaboration between the government, training institutions, and other parties involved. In this way, job training can continue to be improved, ensuring its benefits for children and making a real contribution to their rehabilitation and social reintegration.

Strengthening job training as a criminal sanction for children in conflict with the law is an essential step in creating a more humane and rehabilitation-oriented juvenile criminal justice system (Keels, 2024). By addressing existing challenges through comprehensive policies and strategies, job training can be an effective tool for recovering children and helping them build a better future. Multi-sector collaboration, infrastructure development, improving human resource competencies, and anti-stigma campaigns are critical elements in ensuring the success of this program. Thus, job training does not only serve as punishment but also as an opportunity for positive transformation for children in conflict with the law, instilling hope and optimism for their future.

4. Conclusion

Job training as a criminal sanction for children in conflict with the law is a concrete manifestation of the application of the principle of restorative justice in Indonesia. This approach aims to provide punishment as a means of rehabilitation and empowerment of children so that they can return to society with valuable skills. However, to realize this goal, the provision of relevant training programs based on children's individual needs is crucial. As policymakers, educators, and social workers, your role in this aspect is significant. Strengthening is also needed in other aspects, including developing comprehensive policies, increasing infrastructure capacity, and increasing human resource competency. Synergy with stakeholders, anti-stigma campaigns, and an integrated monitoring and evaluation system are also keys to implementing job training as a criminal sanction. With these steps, job training can effectively create a balance between child rehabilitation and community protection. This approach provides opportunities for children to improve their futures and contributes to reducing recidivism rates and forming a more inclusive and just society.

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