

Socio-Legal Analysis of the Detention of Children Under Police Investigation in the Bone Police Jurisdiction

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Abstract. *The problem of child crime is a very complex problem in its handling which is increasing every year. Indonesia as a country that ratified the Convention on the Rights of the Child which regulates the principle of legal protection for children has an obligation to provide special protection for children in conflict with the law. The purpose of this study is to examine the detention of children as perpetrators of criminal acts at the investigation level in the jurisdiction of the Bone Police in accordance with the provisions of Law Number 11 of 2012 concerning Juvenile Justice. This research method uses an empirical juridical approach, namely a legal approach that combines normative aspects (Law as regulations) with empirical aspects not only looking at written legal rules, but also how these rules are applied and understood in the practice of community life. The research results showed that the implementation of detention of child suspects at the Bone Police Department has been optimal, as stipulated in Law Number 11 of 2012 concerning Juvenile Justice, specifically regarding child detention. Obstacles identified include the absence of a dedicated unit to handle child issues, a lack of professional staff, limited budgets for the investigation process, and the lack of government involvement in implementing policies on juvenile justice. It is recommended that the local government and the police collaborate to disseminate information on laws and regulations regarding the child investigation process and legal protection for children in conflict.*

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INTRODUCTION

Child treatment in opposition to the law is one of the most pertinent indicators of the societies-adherence to the form of human rights, social justice, and sustainable development. Being people in permanent physical, cognitive, and emotional formation, children need the protection of the law that takes into consideration the specific vulnerability of such people and their insufficient abilities to act legally (Dunn et al., 2008; Dehaghani, 2017).

This has been incorporated internationally by tools like the Convention on the Rights of the Child which emphasise that the best interests of the child should be the first one that is considered in any action concerning children (Zermatten, 2010; Pobjoy, 2015; Freeman, 1997). It is the duty of the states to structure criminal-justice interventions to achieve not only legal compliance, but also to effect rehabilitation, reintegration, and long-term well-being (Khan et al., 2023; Pettus et al., 2021; Lin et al., 2023; Nikoleishvili, 2025).

In Indonesia, such an international commitment has been reflected in national legislation, the most notable being Law No. 11 of 2012 in relation to the Juvenile Criminal Justice System.

This legislation is a paradigm shift in the relations to the punitive mode, restorative and child centred justice. It puts emphasis on diversion, proportionality and deprivation of liberty should only be used as a last resort. Ideally, the Indonesian juvenile justice system aims to reconcile the interests of the population and national security with the basic rights of children, which will guarantee that the legal practices will not contradict their dignity, growth, and further social inclusion (Wiyono, 2015; Budiyo et al., 2024; Panu et al., 2025).

Nevertheless, the presence of progressive legal tools may not necessarily lead to successful execution. There is a long-standing gap between normative rules and daily law-enforcement rituals in most legal regimes: Indonesia is no exception (Jzani, 2025; Saragih, 2025). There is a longstanding focus by scholars of socio-legal studies on the fact that law is not just a formal rule system but also a social institution in terms of cultural values, organisational forms and professional practices (Creutzfeldt, 2019; Feeley, 2001). The fulfillment of the rights of children in the criminal-justice system, therefore, depends on the interpretation and application of legal norms by prosecutors, judges, and investigators within a particular institutional setting to a large extent.

The detention during the investigation stage is one of the most sensitive issues of the juvenile justice implementation (Penn & Thomas, 2005; Mears & Kelly, 1999; Leiber & Fox, 2005). Arrest is an extreme limitation of individual freedom and can have significant psychological, social, and educational effects on children. Studies have continuously shown that being exposed to custodial settings in early years predisposes the individual to the risk of stigmatization, marginalisation, and recidivism (Oostermeijer et al., 2023; Nnam et al., 2024; Markham, 2025). In the case of children, these risks are especially sharp, because imprisonment may disrupt the process of school, damaged relationships with the family, and damaged self-esteem at the most important stages of development.

To appreciate the fact that there are inherent risks involved in holding the minors, both the international and national legal systems place strict limits to such practice. The ICCPR conditions that the deprivation of liberty should be lawful, necessary, and proportionate whereas the Convention on the Rights of the Child (CRC) provides that the detention should only be used as the last resort and as long as reasonably justifiable (Meeler & Todres, 2024; Smyth, 2019; Neuman, 2018). The application of these principles in the Indonesian context is a Law No. 11 of 2012 that defines the principles of child detention through articulation of specific age limits, minimum sentencing, parental bonding, and binding requirements to ensure that the physical and psychological health of children in custody are not compromised. All these are indicative of a normative engagement to reduce coercive measures and promote restorative justice.

However, with the opposite intentions of the safeguards placed in them, empirical scholarship proves the still predominant use of detention in practice (Martin & Mitchelson, 2009; Mainwaring & Silverman, 2017; Gavrilova, 2020; Flynn, 2012). This is perpetuated by institutional constraints, inflexible administrative habits and risk-averse professional culture. Law-enforcement officers, working under the strain of public order, deterring evidence alteration, demonstrating administrative efficiency, tend to view detention as a versatile tool of coping with uncertainty in the event of what other less coercive tools may legally offer. This can be described as the socio-legal phenomenon of bureaucratization of discretion where compliance with the procedures overshadows the substantive aspect of justice (Santos, 2019).

Structural deficits often increase these difficulties at the local level. Many police forces in Indonesia are faced with the problem of lack of special investigators of juvenile cases, poor facilities, and limited funding (Wangi & Tyas, 2017; Pulukadang, 2023). There are very few facilities like child-friendly interrogation rooms, psychological assistance, and multi-disciplinary coordination mechanisms - especially in non-metropolitan areas. Therefore, researchers find it difficult to adopt child-sensitive practices even when they are aware of their legal responsibilities (Limantè et al., 2021; Mohammed & Musah, 2025; Bruning & Doek, 2021).

The jurisdiction of the Bone Police Department in this larger national context presents a relevant empirical setting and environment where the practical application of child detention rules can be discussed. The example of Bone Regency illustrates an area of unequal socio-economic situation, being characterized by rural-urban inequality and inadequate institutional framework. Such conditions determine the pattern of juvenile offending and the ability of the law-enforcement agencies to meet the regulation standards. The initial findings suggest that researchers in this area have to travel through the tricky relationship between legal rules, institutional pressures, expectations of the community, and ethical duties.

The traditional literature on the topic of juvenile justice in Indonesia has had significant implication to the understanding of normative structures, policy paths and institutional restructuring. The studies by Nofryanti et al. (2023); Saputri et al. (2024) and Filonia (2024) are exhaustive examinations of legal principles which guide the formation of child protection and criminal liability. Further research has examined the mechanisms of diversion, modalities of restorative justice, and sentencing directives (Johnson & DiPietro, 2012). Despite the useful theoretical contributions made, they are inclined to focus on doctrinal interpretation as well as policy evaluation at the cost of methodical empirical examination of investigative procedures.

In addition, the investigations done before mostly rely on document-based analysis and secondary data with minimal filtration of field-based research. Therefore, there is little information concerning the operational choices that investigators make, how statutory provisions are transformed into day-to-day procedures and how institutional restrictions are used to influence everyday practices (Apostolaros et al., 2020; Meerts, 2018; Mashaw, 2005). The gap is particularly acute in the local police subculture, where frontline personnel have much leeway in deciding whether to detain, divert or release juveniles on parole.

Theoretically, to eliminate this gap, a socio-juridical methodology that combines normative legal research with empirical research is required. The studies of socio-jurisdiction demonstrate that the efficacy of the law does not only depend on the structure of the law but also on its acceptance by the society, its capacity and professional atmosphere. In this situation, legal culture refers to the attitudes, values and expectations that define the way legal participants view their roles and duties. Legal culture under the juvenile justice system is a defining factor that helps to establish whether the principle of child-centred beliefs is absorbed or only formal.

The current paper assumes a socio juridical approach to examine the issue of detaining juveniles at investigation level in the jurisdiction of Bone Police Department. The research attempts to represent both the formal structure of legal regulation and the operational implementation of the same by combining normative analysis of relevant legislation with empirical data that is provided by semi-structured interviews and field observations. This methodological synthesis allows a more comprehensive comprehension of the way, in which detention policies are implemented, negotiated and at times undermined during the daily functioning.

Lastly, the research locates child detention in the context of child protection and human rights. Child protection goes beyond the physical abuse or exploitation prevention, to include the provision of education, psychological support, family care, and social inclusion (Hart & Glaser, 2011; Wessells, 2015; Reading et al., 2009). With the lack of the appropriate protective measures, the basic rights of juveniles who are kept in custody undergo a risk of erosion, which may trigger social exclusion and susceptibility in the long-term. On that note therefore, it can be argued that it is inevitable to apply an analysis of detention practices not only in legal terms but also in a developmental and social welfare tone.

In line with the above deliberations, this study is aimed at questioning the application of child detention in the investigative stage within the jurisdiction of the Bone Police based on the provisions of the Law Number 11 of 2012 on the Juvenile Criminal Justice System. Specifically, it will seek to determine the level to which the detention practices are in compliance with the statutory requirements, the institutional, organisational, and professional barriers faced by

investigators, and the consequences of the corresponding practices on the protection of the rights of children. Besides, the research examines the effects of legal literacy, sufficiency of resources, and the coordination between agencies on juvenile cases decision-making.

This research fills the growing body of socio-legal literature on juvenile justice in Indonesia by integrating normative and empirical research methodologies. It provides context-specific data on how principles regarding child-protection are enacted locally and explains the structural factors that might hinder their complete realisation. It is hoped that the results will align policy-makers, law-enforcement and child-protection agencies in developing more effective, child-oriented strategies to juvenile case management. Finally, the study is expected to serve the overall goal of developing a juvenile justice system that would impose legal accountability and at the same time promote social reintegration, human dignity and sustainable development.

METHODS

Research Design

This paper will follow an empirical juridical method with the basis of qualitative socio-legal inquiry and that will be applied using a single-case study design. The empirical juridical approach allows integrating normative analysis of the law and empirical research of the institutional practices systematically. The normative analysis is used to study the statutory texts regarding juvenile detention; in the form of Law Number 11 of 2012 on the Juvenile Criminal Justice System and the articles of the Criminal Procedure Code. In its turn, empirical investigation is applied to investigate the interpretation, operationalization and even limitation of these legal norms in the daily practice of investigation. The qualitative case research design works well in this study since it will enable an in-depth examination of the institutional processes, professional argumentation, and organizational dynamics under their natural environments. This research is intended to be analytical generalization instead of statistical generalization through the production of theoretically informed insights about the connection between law, institutional capacity, and child protection. The emphasis on a single institutional instance allows the analysis of contextual factors in greater detail, which would be hard to grasp using comparative or survey-based designs.

Research Setting and Case Selection Rationale

In the current research, data was being collected in the area of the Bone Police Department in South Sulawesi, Indonesia. This institution was selected in accordance with a number of substantive and pragmatic factors. Substantively, the Bone Police Department stands at a strategic position in the administrative of the juvenile criminal cases at the regional level, and it operates within the national juvenile justice paradigm. Pragmatically, the department provided a state of accessibility that facilitated the long-term fieldwork, and thus making it possible to conduct semi-structured in-depth interviews, systematic documentary analysis, and participant observation. The socio-administrative environment of Bone Regency is characterized by the medium institutional capacity, the lack of specialized facilities and the heterogeneous social conditions. These qualities make the area a suitable place to research the use of national legal norms in non-metropolitan settings. The current unit of analysis is thus conceptualized as a typical regional institution, and not a unique and/or extreme example, thus contributing to the generalizability of the findings to broader policy and institutional arguments. The empirical scope of this question is related to the juvenile detention practice, which is going to be operational in 2023-2025. This time frame is used to capture the institutional practice in the contemporary world following the recent policy changes and administrative reforms in juvenile justice. This restriction of the study to this time frame strengthens the coherence of analysis and makes a systematized comparison of individual cases and archival institutional records possible.

Research Participants and Sampling Strategy

The sample of this research includes the law enforcement officers who are directly concerned with the investigation and processing of juvenile criminal incidents in the Bone Police

Department. The members of this group are unit heads, juvenile investigators and those officers in charge of administrative documentation concerning detention processes. Due to the specialization of handling juvenile cases and the small number of officers working in the same, purposive sampling was used to select participants with pertinent work experience and institutional authority. The sampling criteria were made to guarantee that the informants who would be selected were informants who could provide rich and credible data. The requirements were that the individual would be directly involved in underage investigations, have two or more years of professional experience working with matters in children cases, be familiar with the process of detention, and be willing to participate voluntarily. According to the parameters mentioned above, three researchers were chosen as key informants. This is admittedly a small sample, but again this is in line with the dictates of the qualitative case study methodology that emphasizes depth of experience rather than numerical representativeness. The data saturation was determined when the next interviews did not produce information of substantively new significance, thus proving that the most important institutional patterns were covered satisfactorily.

Data Collection Procedures

Semi-Structured Interviews

In-depth interviews that were semi-structured were adopted as the main method of data collection. This method was adopted due to its ability to strike a balance between systematic inquiry and flexibility in doing so to enable the participants to express their experiences, interpretations, and professional judgments within their own words. A protocol of an interview was developed by a careful examination of the relevant legislation, policy reports and previous socio-legal research. The protocol was an open-ended questionnaire based on thematic areas: legal interpretation, decision-making when deciding to detain, coordination with the social institutions, resource limitations and views on the protection of child rights. Face-to-face interviewing through a face-to-face interview was used to conduct the interviews in a private office environment, which guaranteed confidentiality and the provision of an open atmosphere in which to discuss the issue candidly. Each of the interviews took place within 45 and 90 minutes and was conducted in Indonesian. Audio-recorded interviews were accompanied by field notes containing non-verbal cues and other context-related observations with the agreement of participants.

Documentary Analysis

To enhance data obtained via interviews, documentary analysis was carried out to give context on a case institutional and legal level. Documents were also consulted such as national law, internal police rules, detention orders, case files, statistics and administrative reports on juvenile cases. These sources were observed in order to find out the formal procedural standards, institutional compliance patterns, and possible inconsistencies between written rules and working practices. Documentary evidence was also therefore used to validate and put the interview statements in perspective.

Non-Participant Observation

In order to explain the material and organisational set up on the context on which juvenile case handling occurs, non-participant observation was undertaken. The areas the observer focused on included the physical infrastructure, the administrative procedures, interview chambers, and interactions between officers. The field observations were conducted through visits to the police department at the scheduled times and were recorded in a research diary systematically. They were observations that helped in the analytic process in providing a contextual data that would have been unavailable to the interview process.

Data Analysis Strategy

The analysis of data in this research was conducted using a rigorous, iterative and interpretive research methodology which combined normative legal interpretation with qualitative thematic analysis. This amalgamated structure of analysis was developed to reflect the empirical fact of practices of juvenile detention and their convergence with formal legal provisions of practices of child protection and criminal procedure. It was a strategy that was focused on understanding not just procedural adherence, but institutional rationalization, professional discretion, and structural constraints that moderate the decisions of detention during the investigative phase.

Data Preparation and Organization

The analytical procedure was initiated with the systematization of data and organization. Transcription of all the audio-recorded interviews was done verbatim in the original language and this was to maintain the semantic accuracy and contextual meaning. Cross checking was done thoroughly, the transcripts were balanced with the audio recordings to get the transcription mistakes corrected and the transcripts made complete. The field notes on observations and documentary materials were scanned and ordered chronologically and thematically. Different data sources were coded with a special identification code to make it easy to retrieve and cross-reference them during the analysis. Interactive folders of analytical data were created using the transcripts of interviews, notes of observation, and documentary data. This organization technique facilitated free flow between different types of data and triangulation during the analysis process.

Familiarization and Immersion

The researcher then went through a vigorous familiarization period after preparing data. All the documents and transcripts were read repeatedly to form an in-depth idea of the narrative of the participants, the institutional practices and the contextual circumstances. At this stage preliminary analytical memos were prepared where the first impressions, conceptual questions and possible analytical pathways were captured. This immersion was necessary to define delicate modes of professional reasoning, institutional practices, and unspoken normative assumptions, which may be invisible to a superficial perusal. The familiarization phase also enabled the researcher to place individual statements in the wider organizational and legal contexts.

Open Coding and Initial Categorization

The next phase was the open coding that needed a systematic review of the data pieces to find meaningful units of analysis. The manual coding was performed in order to allow close interaction with data and to maintain interpretive sensitivity. All the transcripts and documents were read line by line and descriptive and interpretive codes were given to sections concerning the detention practices, interpretation of law, routines of the procedure, institutional limitations, and mechanisms of child protection. The first codes were risk assessment, evidence security, parental guarantee, facility limitation, procedural compliance, professional discretion, and psychological considerations. These codes were constantly improved with the analysis of new information that made it possible to inductively elaborate on the development of analytical categories based on empirical material. The coding was done in an iterative manner and previous transcripts were reviewed considering new codes developed. This was a recursive process which guaranteed analytic consistency and heightened conceptual coherence.

Axial Coding and Thematic Integration

After the open coding, axial coding was used to analyze interrelations between the codes as well as to classify them into larger thematic groups. At this step, a comparative review of the codes was done and they were combined and rearranged in accordance with conceptual proximity and analytical pertinence. As an example, the codes referring to the facility limitation, staff shortage, and budget constraints were combined into a bigger theme of institutional

capacity. Likewise, the codes like legal interpretation, procedural compliance and documentations practices were categorized as normative implementation. The process allowed uncovering individual practices based on structural patterns and institutional logics. Constant comparative analysis was used to direct thematic integration in which data segments were systematically compared between participants, data sources and time. It is a process that helped identify patterns that contain recurrent trends and also contextual differences in detention practices.

Selective Coding and Analytical Framework Development

At the selective coding phase, key themes of analysis were narrowed down and integrated to create a consistent interpretive framework. The given stage was focused on the awareness of the essential categories that captured the most common dynamics of juvenile detention practices in the institutional milieu. The major themes included institutional discretion, law-abiding, organizational routines, coordination among agencies and child-based protection. Such themes were analyzed against each other to form an explanatory model that defines the manner in which the factors that affect decision in detention are the relationship between legal requirements, professional discretion and constraints in the structure. This integrative construct offered the basis of the arrangement of presentation of findings and structuring of further theoretical interpretation in the Discussion section.

Normative Legal Interpretation

The systematic use of normative legal interpretation was used in all analytical steps. Relevant statutory provisions, apart from the Law No. 11 of 2012 on the Juvenile Criminal Justice System, as well as the relevant provisions in the Criminal Procedure Code were harmonised with empirical themes. All the key empirical results were discussed with references to certain legal standards on the age parameters, conditions of detention, parental guarantees, procedure records, and time restrictions. Through this procedure the researcher was able to assess the levels of legal compliance, partially observed and normative deviation. International human rights documents, particularly, the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights were used as interpretive benchmarks. The multi-layered normative framework helped to increase the depth of analysis and maximize the policy implications of the results.

Triangulation and Cross-Validation

This was done through triangulation in the whole life of the analysis to increase the interpretive reliability. Interview data were cross-tabulated to documentary records and notes of observation so that factual accuracy and procedural consistency could be identified. The inconsistency of the data sources was treated analytically instead of being viewed as an error because they often shed light on institutional strains, informal processes, or disputed meanings. As an example, the assertions that were made in the interviews concerning the procedural compliance were cross-verified with detention orders and administrative records. Institutional reports were used in comparison with the observational data relating to the conditions in the facilities. This threefold strategy enhanced analytical strength and reduced the use of single source interpretations.

Analytical Memo Writing and Reflexive Engagement

During the analysis process, analytical memos were comprehensively kept as a record of changing interpretations, conceptual connections and reflections on the methodical approaches. These memos acted as intellectual interface between pure data and conceptual arguments hence simplifying the systematic construction of analytical understandings. Another component of the analytical strategy was the reflexive engagement. This researcher was constantly questioning the personal assumptions, professional background and positionality in the research environment. The use of reflexive notes has been used to note possible interpretive bias and to make sure that analytical claims were based on empirical evidence as opposed to subjective expectations.

Validation and Interpretive Refinement

The early analytic results were subject to a battery of validation steps that were aimed at increasing their plausibility. Narrowed themes and interpretations were shown to participants to be elaborated and affirmed and the feedback received in this member-checking exercise was adopted in the subsequent revisions in the analytical process. Peer debriefing meetings with academic peers who were experts in socio-legal studies were held during which analytical coherence, substantiation of evidence and theoretical conformity were critically evaluated; external views on the subjects were used to refine thematic structures and enhance interpretive rigor.

Synthesis and Reporting

The final stage of the analytic process involved synthesizing thematic and normative results to consistent analytical stories. The association of empirical evidence with legal provisions and theoretical frameworks was performed in an organized manner in order to produce integrated arguments. The representative quotations and documentary excerpts were chosen to depict major themes, as well as to support interpretative statements. The composition was more dependent on analytical rather than descriptive enumeration. Results were displayed as interrelated institutional processes as opposed to individual observations and hence the overall impact of legal norms, institutional capabilities, and professional cultures on juvenile detention outcomes.

RESULTS AND DISCUSSION

This section presents empirical findings on juvenile criminal cases and detention practices at the investigation stage within the jurisdiction of the Bone Police Department. The results are based on documentary records, interview data, and field observations collected during the study period from 2023 to 2025. The findings are organized into three main components: characteristics of juvenile cases, detention practices, and institutional conditions influencing implementation.

Child Criminal Case Data by Age

Data on child cases and matters at the Bone Police Department are shown in Table 1 below:

Table 1. Data on the Number of Criminal Cases Committed by Children in 2023-2025

No	Age	2023	2024	2025
1.	8-10 Years	-	-	-
2.	11-13 Years	-	-	-
3.	14-15 Years	4	5	5
4.	16-17 Years	6	7	9

Data Source: Bone Police (July 24, 2025)

As shown in table 1, criminal cases that juveniles committed between the years 2023 and 2025 were solely restricted to the age group of 14-17 years. No child between the ages 8 to 13 gave any case and thus it shows that the younger children were not involved in any crime leading to formal investigation and arrest during the study period. The statistics also indicate a steady trend according to which children between the age of 16 to 17 years make the highest number of cases annually. These cases were more prevalent in this age group as there were six cases in 2023 and nine cases in 2025. This trend indicates that there is more prevalence of involvement in criminal acts among older adolescents that qualify an investigation and arrest by the law. Comparatively, the number of children between the ages of 14 to 15 years remain relatively constant over the period of three years with few fluctuations. This stability implies that despite the fact that this age group is involved in criminal cases, their involvement does not increase significantly as compared to older adolescents. According to findings of interviews, the

investigators have been observed to relate older adolescents with great independence, mobility, and social interaction that is viewed to raise the risk of absconding and reoffending. As a result, age as a practical set of factors in decision-making regarding detention takes its place next to formal legal requirements. According to the officers, children in the 16-17-year-old age bracket are usually handled more procedurally since they are almost adult and seen as possibly able to escape supervision. In addition, the low number of cases among the younger age groups speaks with the efficiency of the early informal intervention of families, schools, and community institutions. It further suggests that the police focus on non-custodial practices among the young children based on the principles of juvenile-justice. This trend shows some correspondence between the practice of the institution and the legal focus on reduction of formal intervention of the younger minors.

Table 2. Crime Categories According to the Number of Cases Against Children Suspects

No	Types of Crime	Number of Cases
1.	Extortion	1
2.	Assault	9
3.	Theft	3
4.	Drugs	2
5.	Fraud	-
6.	Murder	-
7.	Assault	18
8.	Indecent Acts	3

Date of Data: September 3, 2025.

Table 2 analysis shows that violent crime, in specific assault and serious assault, are the leading crime cases among juveniles in the jurisdiction of the Bone Police. Twenty-seven cases of assault related crimes combined form the major portion of the reported cases, hence highlighting the high levels of inter personal conflicts and aggressive behaviour among the teenagers within study location. Documentary analysis reveals that most assault and serious assault cases are initiated by the disagreement with peers, conflicts within neighbourhood, school composed altercations and emotionally-charged confrontations. According to investigators, these cases often rose at a fast rate, which can be explained by the lack of conflict-resolved abilities and peer pressure among young criminals. The theft cases are also on the lower side indicating that theft crimes are not as prevalent among juvenile offenders in this jurisdiction. Similarly, the cases related to drugs are few which means that drug abuse has not yet become the salient aspect of juvenile criminal behaviour in the area. Officers however observe that cases of drug related cases are stricter to be supervised because of their possible connections to larger criminal networks.

The number of cases dealing with indecent acts is minimal though it is met with an increased level of procedural sensitivity. Researchers highlight that these cases require careful management due to the psychological effect they have on victims and suspects alongside the long-term societal effects. Such cases are normally accompanied with collaboration with social workers and legal aid centers. There are no instances of fraud and murder, which means that juvenile engagement in complicated economic crimes and serious violent crimes are low in the area of the study. This trend indicates that juvenile crime is mostly of the spontaneous or situational type of crime as opposed to organised or planned criminal acts. Interview information also reveals that the nature of crime has a significant effect on decisions to go into detention. The violent crimes have increased chances of being detained, due to the fear of safety of the community, possible revenge and increasing the conflict. By contrast, when legally acceptable, non-violent crimes are increasingly handled by such approaches as supervision, mediation or diversion. These results show that the detention practices are influenced not only by the statutory sentencing thresholds, but also by the perceived social impact and social sensitivity of particular

offences. When deciding on the required actions, investigators are required to establish a balance between legal standards and social expectations and institutional risk analysis.

Detention of Children as Criminal Offenders at the Investigation Level in the Bone Police Area

The investigators involved in the detention procedure must consider the interests of a child that involves their physical, mental, and social growth and development. There is need to consider the interests of the community; an example of this is that the arrest of a child suspect could help to bring a feeling of safety and security in the community. It was discovered in an interview by the author with AIPTU M.T. LATIF, S.H., the Head of the Women and Children Protection Unit (PPA) that Bone Police Department has created a special unit that deals with crimes committed by children, the Women and Children Protection Unit (PPA). However, it has not been possible to have a dedicated service unit or room (RPK) due to the limitation associated with the spatial constraint. When a child investigator is engaged in the study of child suspects, particularly in the circumstances involving child detention, it is paramount that a child investigator considers a number of important factors before they can perform their duties. The premise of the execution and procedure of the examination is outlined in Chapter V of the Law Number 11 of 2012 concerning Juvenile Justice that states that handling of juvenile delinquency cases shall remain under the Criminal Procedure Code, yet also give consideration to the interests of the child.

Based on the results of an interview with an informant A, who is a member of the Bone Police Criminal Investigation Unit, the respondent stated that: As part of the implementation of a set of examination procedures related to the detention of child suspects, in addition to applying Law Number 11 of 2012 on Juvenile Justice, the police also always apply Article 21 paragraphs (2) and (3) of the Criminal Procedure Code. This involves drafting and making of a Detention Order and Determination, which contain the identity of the suspect, the reasons why the suspect is being detained, the crime that he or she has committed as well as the time period of the detention. In addition, it entails giving a copy or photocopy of the detention order to family of the suspect, telling him or her about his/her rights, and telling the suspect about the reason why they are being detained or write down the crime that was committed. Informant A. Asril. The place where the Child Detention is located according to the findings of the interview with AIPTU M.T. Latif, S.H., Head of the Bone Police Criminal Investigation Unit, on July 24, 2025, is as follows:

"To date, the processing of child crimes, in particular, child detention, in our opinion, he is well placed by the Law Number 11 of 2012, since child detention is carried out when the child has reached the age of at least 14 years and the risk of punishment of the crime committed. Then we divide child detainees with the adult detainees of course so that the mentality and psychological well being of the child is not disrupted".

The detention of a child should not be interpreted as the only possible option that a child investigator could use; instead, it should be perceived as the last resort that should be used by a child investigator once all the other legal acts or measures have been used or taken. This can be said to be indicative of the legal imperatives, which an investigator is bound to follow when carrying out his or her mandate. An example is the investigative process, which is provided in Article 5 of Law No. 3 of 1997 as amended in the Law No. 11 of 2012 on Juvenile Justice, which requires the child, who is less than eight years old, to be returned to his or her parents, guardians or foster parents to offer guidance in the event of a committed criminal offence or when there are suspicions of such offence. In case the child can no longer be taken care of by those parties he or she will be transferred to the Department of Social Affairs by the investigator considering the appropriate factors and the community opinion.

When it comes to juvenile crimes, there are differences not only in the place of confinement but also in the manner of administering the period of imprisonment. Under the canopy of juvenile crimes, the stipulated time of child offenders in custody is slightly lower than the offenders in the adult justice system. In this respect, investigators should make every effort possible to finalize

the investigation of child suspects, who should be arrested promptly to allow the case to move to the next level and consequently keep the period of detention within reasonable framework.

In Law No.11 of 2012 on Juvenile Justice, paragraph (2) of the article 44 permits the holding of a child by the juvenile investigators at maximum of twenty days. This time is in line with the stipulations of the Criminal Procedure Code. When it is clear that the investigation has not been completed, the juvenile investigator can officially request the public prosecutor to extend the detention and this can be extended to not longer than ten days. This is less time than forty days prescribed in Article 24 under paragraph (2) of the Criminal Procedure Code.

Legal Compliance, Institutional Practice, and the Dynamics of Juvenile Detention at the Investigation Stage

This research paper has shown that the use of juvenile detention practices in the jurisdiction of the Bone Police Department is mainly influenced by formal adherence to the statutory provisions, especially, the Law Number 11 of 2012 on the Juvenile Criminal Justice System and the corresponding provisions of the Criminal Procedure Code. The analysis of the documents shows that the legal criteria concerning the age limits, sentencing conditions, and procedural security are regularly mentioned in the detention order, administrative documentation, and case files. The data of interviews also testify another fact that the investigators have considerable knowledge of these legal provisions and attempt to apply them to their daily practice. Such a tendency is indicative of a high level of procedural litigability and institutional responsibility.

This formal adherence, in terms of socio-juridical perspective, depicts what Friedman theorizes as the primacy of law in terms of structure and substance in the institutional practice. The normative content of the legislation and the organizational structure of the police department contribute to the decision-making process of the investigators together. Here, the decision making on detainees is more of a technical and legal move rather than a socially-grounded decision. The investigators turn to such standardized forms, statutory sources and administrative routines to legitimize their action. These practices ensure a stable institution and prevent the officers against any legal problem. Nevertheless, the research also shows that procedural compliance tends to work with routinized mechanisms. There is documentary proof that the justification of detention very often use standardized expressions, including the risk of absconding and the possible tampering with evidence, and is not often assessed individually.

This observation is consistent with socio-legal literature that has put emphasis on the bureaucratization of discretion in the contemporary legal regimes. However, the Weberian organizational theory claims that bureaucratic systems are more likely to focus on predictability, uniformity, and procedural certainty rather than focusing on contextual sensitivity. In this type of a system, personalized judgment can very easily be undercut to standardized administrative practices. This bureaucratic orientation has its advantages and disadvantages in the context of juvenile justice. On one hand, uniform procedures assist in maintenance of uniformity, minimization of arbitrariness in the decision making, and advancement of legal equality. Regular implementation of age and sentencing threshold that is evident in this work shows that the investigators are not exercising blatant discriminatory actions. Every one of the detained children was of formal eligibility standards indicating institutional adherence to statutory boundaries. This observation is consistent with prior studies that show that law-enforcement agencies in Indonesia are now placing more emphasis on procedural discipline as a result of publicity and legal reform.

On the contrary, excessive reliance on standardized processes can be a threat to substantive justice. The principle of a best interest of the child, the normative core of juvenile justice, requires a sensitive approach to the analysis of the personal conditions, family setting, and the developmental needs. When formulaic language is used to justify most of the detention decisions,

there is a danger that substantive considerations would be subordinate to them. This has been reported in earlier empirical research of the application of juvenile justice which states that formal obedience does not always equate to child-based results. The results also show that infrastructural and organizational factors are the limits of institutional compliance. The fact that there are no specialized service rooms, less privacy, and poor facilities undermine the achievement of child-friendly procedures. Despite the fact that investigators recognize the necessity of developing conducive environments, the challenge of providing the necessary space as well as budget limits their ability to put such concepts into practice. The same has been reported in the studies held in other regional police departments where the lack of resources hampers the introduction of juvenile justice reforms.

Institutional theory-wise, these restrictions are the most extreme manifestation of such a phenomenon as the decoupling of formal policies and the realities of operations. Due to lack of resources and routine, organizations can officially embrace progressive rules and systems and still maintain traditional methods. To the case of Bone Police, the presence of PPA Unit is an indicator of institutional dedication to child protection, however, due to absence of supportive infrastructure, its achievement is limited. This incomplete execution is structural adjustment as opposed to institutional revolution. Another aspect of the study that is shown is that the practice of detention is anchored in a larger institutional performance framework. The internal evaluation documents highlight case processing and procedural completeness as the important performance indicators. Officers are thus encouraged to be efficient and documented. Although such priorities make administrations more accountable, they can also reduce their chances of prolonged assessment, counseling, and restorative engagement. This dilemma between efficiency and child-centered justice has been widely debated in the literature of child justice and has been a thorn in the flesh in all jurisdictions.

Analogous patterns are ascertained in comparative empirical studies done in Southeast Asia and other developing situations. Studies conducted in Malaysia, Thailand, and the Philippines have shown that the juvenile justice system is often unable to balance international standards of child protection in line with the limited institutional capacity. These studies highlight the point that legal reform is not enough without long term investment in infrastructure, training, and inter agency coordination. This conclusion is supported in the current study, as it shows how formal compliance is present alongside structural constraints. In addition, the institutional culture that focuses on legal thresholds as the main criteria of decision making is also indicative of the rule based culture. The age and the sentencing requirements are objective indicators of legitimacy to the investigators. The practice minimizes the subjectivity bias, but might also blur longer-term social and developmental factors.

Past socio-legal studies indicate that rule oriented cultures are widespread in hierarchical organisations in which accountability regimes are guided more by legal defensibility than contextual sensitivity. In these conditions, the officers give preference to the actions that could be justified in the framework of official legal approaches. In general, the results suggest that the juvenile detention practices in the jurisdiction of the Bone Police may also be described as highly procedural compliance, routinised and entrenched, and structurally constrained. Law is upheld and administrative discipline is upheld. Nevertheless, substantive child-centered justice is in part limited by the bureaucratic rationality, the lack of resources, and organisational interests. These dynamics highlight the need of institutional reforms beyond the codification of the law and ones that cover the material and organisational underpinnings of juvenile justice.

Professional Discretion, Social Context, and the Partial Realization of Child-Centered Justice

In addition to the fact that legal norms are observed, this investigation shows that the work of juvenile detention is significantly dependent on professional discretion, sociocultural evaluation, and situational judgments. Evidence obtained during interviews and documentaries shows that investigators do not apply detention procedures in a mechanized way. Instead, they

make sense of law requirements in the reflection of family conditions, local contexts, and the vision of risks of behaviour. This is evidence that highlights the paramount importance of discretionary authority in the administration of juvenile justice. In theoretical terms, discretion is an internal aspect of the law practice especially in frontline law-enforcement agencies. The idea of street-level bureaucracy formulated by Lipsky brings to focus the fact that frontline officers have a significant power of interpretation authority to make sense of policy mandates into operational practice. The situations and the constraints of resources drive officers to make judgements in individual cases due to the time constraints and the complexities of the situations. This dynamic is clearly depicted in the current study.

When deciding on the need to detain, investigators consider parental cooperation and the social support systems, and the reputation of the communities. The theme of family supervision comes out as a significant issue in the results. Regularly, researchers have indicated that collaborative parents and intact family backgrounds reduce chances of detention. This claim is supported in documentary recordings which indicate that parental guarantee and community support documents are often used to legitimize non-custodial options. Such practice echoes the operationalization of the postulates of restorative justice and diversionary justice that are baked into juvenile justice laws. This phenomenon can be illuminated with the help of sociological paradigms of social control. According to the social bond theory by Hirschi, strong family and community institution attachments will discourage deviant behavior and generate compliance. In the Bone Police milieu, the police implicitly utilize this reasoning in determining the capacity in a family. The young people who have been incorporated into the supportive social networks are viewed as lower-risk organizations and thus less deserving of custodial services.

However, the use of family-based assessments brings some sources of inequalities. Young people, who come out of unstable/ economically disadvantaged/ disintegrated families, may be more likely to be detained regardless of the seriousness of their crime. Even though the study does not provide quantitative data on the socio-economic status, the interview narratives suggest that lack of family supervision increases the likelihood of being detained. This finding is supported by the international literature that suggests that disadvantaged youths are out of proportionately exposed to custodial interventions because of limited social capital. Detention practices are also determined by the expectations in the community. According to investigators, the violent offences often cause the society to demand tough action. In these milieus, detention is not simply a legal tool but also a symbolic expression of institutional power. This process is in line with Durkheimian ideas of punishment as a means of re-establishing social norms. When the community order is perceived to be at risk, the custodial measures are turned into the tool of restoring moral equilibrium.

At the same time, investigators strive to balance community demands and legal and ethical requirements. Due to interviews, it was revealed that investigators are aware of the adverse impacts of detention, including psychological distress and social stigma. Law enforcement often complains that it is not in their interest to hold juveniles in custody when they are not required to do so and the importance of direction and control. Such ambivalence is a representation of the moral ambivalence of juvenile justice praxis, in which officers are negotiating conflicting normative demands. Its results also highlight the significance of informal institutional practices. Parents, consultation with community leaders as well as inner deliberations play a decisive role in making decisions related to detention. They are informal processes that are, in most cases, not captured in official documents but are very important components of decision-making. These practices reflect the notion of living law as suggested by the socio-legal theorists where informal laws exist alongside the formal laws. Ehrlich states that the effectiveness of law depends on the alignment of the formal regulations and the existing social norms.

An example of partial alignment is the Bone Police case. The investigators incorporate community values and family evaluation on their verdicts, thus enhancing social legitimacy. However, the inconsistency of these tests due to absence of standardized guidelines brings about variability. The differences in the interpretation of similar situations by the officers could lead to

inconsistent results. Similar trends have been reported in previous empirical studies conducted in Indonesia and other similar jurisdictions. The current studies indicate that the implementation of diversion is often affected by the discretionary practices which tend to affect the implementation of restorative mechanism. The empirical research conducted in Java and Sumatra has demonstrated that the personal attitudes of the investigators have an important influence on the outcomes of juvenile cases. These findings are supported in the present research, which provides an example of professional orientation dominating detention practices.

The lack of psychological and social support is also a constraint that makes discretionary decision making harder. The resource shortage of professional counselors and child psychologists restricts the ability of the investigators to consider emotional well-being and rehabilitation requirements. As a result, officers rely on the gut feeling and non-formal speech. However, in spite of the possible pragmatism of these approaches, they do not have systematic evaluation frameworks. This phenomenon is indicative of larger gaps in inter-agency interaction and welfare infrastructure. The limited involvement of social workers and school institutions also limits restorative possibilities. Although there are instances where referrals are done, cooperation is largely informal. Empirical research shows that effective juvenile justice systems rely on integrated networks of services that link law enforcement, social services and schools. The poor coordination seen in the current study reduces the chances of having holistic intervention.

Additionally, the focus on expedited processing of cases, which will be beneficial in minimising the time spent in detention, could limit the capacity to make a prudent decision. Time limitations are more likely to encourage a sense of following the conventional procedure and the utilization of simplifying assessing architecture. These dynamics boost bureaucratic rationality and restrain individualized evaluation. Previous studies in the field of organisational behaviour have already suggested that performance measures that emphasise efficiency may hamper the qualitative goals such as rehabilitation. The current results indicate that researchers are quite devoted to the notions of child protection. The ongoing striving to avoid detention even in the presence of parental guarantees is a sign of a normative internalisation of restorative ideals. This kind of internalisation is a major accomplishment of the law reform and socialisation. This suggests that the concept of juvenile justice is not just a mere symbol but it has already begun to shape professional identities.

However, the incompleteness of this change should be identified. Discrete practices are continued to be influenced by structural inequities, scarcity of resources, and organisational pressures. Child-centred justice, therefore, is realised in a disproportionate manner and depends on the capacity of a family, the situation of the community as well as the terms of the institution. Theoretically, the Bone Police case provides the example of interplay between the formal legality, discretionary government, and social embeddedness. Juvenile justice is a system of overlaps where the statutory, professional and sociocultural judgements combine. The reflection of this hybrid character is more general developments of the law systems in developing countries that are being reformed.

CONCLUSION

Addressing the challenges faced by children constitutes a vital component that is frequently neglected in the processes and development of a nation aiming to cultivate future leaders for Indonesia. Consequently, the development paradigm must prioritize the interests of children. The present management of children engaged in legal proceedings remains insufficiently impartial and fails to adequately take into account their best interests. A notable deficiency in the judicial treatment of children is the insufficient availability of district courts in Indonesia that are equipped with specialized waiting rooms for minors. During child trials, numerous court attributes persist within the courtroom, including judges' uniforms, gavels, photographs of the president and vice president, as well as witness stands. This situation evidently fails to support and neglects the mental well-being of children. The management of minors in conflict with the law (ABH) must adhere to the Convention on the Rights of the Child, which was ratified by

Presidential Decree No. 36 of 1990. This convention stipulates that legal proceedings should be conducted as a last resort and within the shortest and most suitable timeframe. The imposition of criminal punishment on children, particularly in the form of juvenile detention, ought to be eschewed. Following the findings of the research concerning the legal examination of the detention of minors accused of criminal offenses at the investigative stage within the jurisdiction of the Bone Police, it can be concluded that the execution of detention for child suspects at the Bone Police has been conducted in an optimal manner, in accordance with the stipulations outlined in Law Number 11 of 2012 regarding Juvenile Justice, particularly with respect to the detention of minors. Criminal offenses perpetrated by minors typically contravene the stipulations outlined in the criminal regulations of the Criminal Code; consequently, the investigation is conducted by general investigators, specifically those affiliated with the Indonesian National Police (Polri). In accordance with the execution of the Child Criminal Justice System Law, it has been underscored that inquiries into juvenile delinquency cases are conducted by investigators from the National Police, grounded in the legal framework of Article 26 paragraph (1) Number 11 of 2012 regarding the Child Criminal Justice System. This provision essentially stipulates that "investigations into juvenile cases are conducted by investigators appointed pursuant to the Decree of the Chief of the Indonesian Police or other designated officials." The Child Criminal Justice System Law, as articulated in Article 26 Paragraph (3), delineates the requisite conditions that an Investigator must fulfill to execute their responsibilities during the investigative process. Investigators are endowed with authority by virtue of statutory regulations. The authority of the investigator is delineated in Article 7 of the Criminal Procedure Code.

SUGGESTION

For the sake of the investigation process against child suspects, the Bone Police should add professional staff, especially child investigators, so that they continue to pay attention to the principles of the Convention on the Rights of the Child which regulates the principles of legal protection for children and has an obligation to provide special protection for children in conflict with the law.

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