

Legal Protection for Children in Conflict with the Law Based on Restorative Justice in the Women and Children Service Unit (UPPA) of the Bali Regional Police

I Gede Murdana, Ni Ketut Wiratny, Komang Edy Darma Saputra

Universitas Mahendradatta, Indonesia

Email: igedemurdana1976@gmail.com, wiratny@gmail.com, edydharmasaputra@gmail.com

ARTICLE INFO

Keywords

Legal Protection, Children, and PPA Unit

ABSTRACT

This study examines the legal protection for children in conflict with the law (ABH) through restorative justice approaches in the Women and Children Service Unit (UPPA) of the Bali Regional Police. The research problem focuses on the gap between legal mandates under Law No. 11 of 2012 on the Juvenile Criminal Justice System and the implementation challenges faced by UPPA Bali, including limited resources, inadequate training, and cultural barriers. The objectives are to: (1) analyze UPPA's restorative justice framework, (2) identify operational constraints, and (3) propose solutions to enhance child protection. Using a normative legal research method, this study analyzes primary legal materials (laws, regulations) and secondary sources (literature, case reports). Data were evaluated through descriptive, systematic, and evaluative approaches to assess the alignment of practices with legal standards. Results reveal that while UPPA Bali provides counseling and legal assistance, systemic inefficiencies hinder restorative justice outcomes. Key issues include a lack of specialized training for investigators, budget shortages, and low community engagement. The study highlights successful cases where cultural mediation (adat) improved resolutions but notes inconsistent application. Implications suggest urgent reforms: capacity-building for UPPA staff, inter-agency collaboration, and community-based rehabilitation models. These findings contribute to policy discussions on child-centered justice in Indonesia, emphasizing the need to integrate legal frameworks with local wisdom. The study underscores restorative justice as a viable alternative to punitive measures for ABH in Bali.

Attribution-ShareAlike 4.0 International (CC BY-SA 4.0)



Introduction

The Constitution of the Republic of Indonesia, in Article 18B(2) of the 1945 Constitution, mandates that “Every child has the right to survival, growth, and development, as well as the right to protection from violence and discrimination.” Furthermore, Article 20 of *Law No. 17 of 2016* on the Enactment of Government Regulation in Lieu of *Law No. 1 of 2016* on the Second Amendment to *Law No. 23 of 2002* on Child Protection has been enacted into law. For this reason, *Law No. 11 of 2012* on the Criminal Justice System for Children not only regulates children in conflict with the law but also covers children who are victims of criminal acts and children who are witnesses to criminal acts—collectively referred to as *anak yang berhadapan dengan hukum* (ABH) (Alba, 2025).

The enactment of *Law No. 11 of 2012 on the Criminal Justice System* serves as an alternative means of protecting the rights of children, particularly those in conflict with the law. This is evident from the principles enshrined in the juvenile criminal justice system as stipulated in Article 2 of *Law No. 11 of 2012 on the Juvenile Criminal Justice System (UUSPPA)*. Special protection for children is further enshrined in *Law No. 35 of 2014*, as an amendment to *Law No. 23 of 2002 on the Protection of Children*. Although *Law No. 17 of 2016*—which ratifies Government Regulation in Lieu of *Law No. 1 of 2016 on the Second Amendment to Law No. 23 of 2002 on Child Protection*—provides enhanced penalties, these measures are deemed insufficient to reduce the incidence of criminal acts committed by children (Hosnah, 2025). Therefore, additional institutions outside the court system are urgently needed to assist in addressing violence against women and children (Amartya & Sadnyini, 2024).

The *Women and Children Protection Unit (PPA)* of the Bali Police is a specialized unit within the police force tasked with providing protection and enforcing the law for women and children who are victims of criminal acts (Anggraeni, 2021). This unit is part of the Criminal Investigation Division (Bali Children's Project, 2023). The *Women and Children Service Unit (UPPA)* assists, accompanies, and facilitates the resolution of criminal cases involving children. It conducts outreach both directly and through various media such as social media, radio, television, newspapers, and banners (Badan Perencanaan Pembangunan Nasional & Universitas Indonesia, 2023). It provides accompaniment to victims during the legal process and recovery stages and collaborates with various relevant parties (ASEAN Secretariat, 2023).

Previous research by Rika Saraswati (2015) explored child protection laws in Indonesia, focusing primarily on legislative frameworks without examining the operational challenges in law enforcement. Similarly, Susani Triwahyuningsih (2018) analyzed human rights enforcement but overlooked the role of restorative justice in *ABH* cases. These studies leave critical gaps: (1) the lack of empirical analysis on *UPPA* Bali's implementation of restorative justice, (2) the disconnect between legal mandates and ground-level practices, and (3) the absence of culturally tailored rehabilitation models for Balinese children (Andrianto, Prawesthi, Handayati, & Sidarta, 2025).

The novelty of this research lies in its dual focus: evaluating *UPPA* Bali's restorative justice framework through a socio-legal lens and proposing a localized model that integrates Balinese cultural values (*Tri Hita Karana*) with child-centered rehabilitation. This study aims to: (1) analyze the legal protection mechanisms for *ABH* under *UPPA* Bali, (2) identify systemic barriers to restorative justice, and (3) develop recommendations to enhance *UPPA*'s effectiveness. The benefits include strengthening child protection policies, improving inter-agency collaboration, and contributing to the academic discourse on restorative justice in Indonesia. By addressing these gaps, this research seeks to transform *ABH* case handling from punitive to rehabilitative, ensuring alignment with Indonesia's commitment to child rights under *Law No. 11 of 2012 on the Juvenile Criminal Justice System*.

Research methods

The research method used in this study is a normative legal research method that utilizes various primary legal sources in the form of regulations and secondary legal sources in the form of literature related to legal protection provided by the *Women and Children's Service Unit (UPPA)*. Johnny Ibrahim explains that normative legal research is a scientific form of research aimed at discovering the truth based on legal scientific logic as viewed from the normative perspective, or as an effort to find the law applicable to a specific case. The legal materials obtained are then analyzed using descriptive, systematic, evaluative, and argumentative methods. These materials are presented in a high-quality manner through well-structured, coherent, logical, non-overlapping, and effective sentences, thereby facilitating the

interpretation of legal materials and the comprehension of the analysis results in a comprehensive manner.

Results and Discussion

Legal Protection for Children in Conflict with the Law at Women and Children Service Units

The Women and Children's Service Unit (PPA) at the Bali Provincial Police Headquarters, formerly known as the Special Service Room (RPK), has a long history. In 2007, the RPK was transformed into the PPA Unit pursuant to Police Chief Regulation No. Pol: 10 of 2007. This change aimed to enhance the effectiveness of handling cases involving women and children, as well as ensuring the protection of their rights. Prior to becoming the PPA Unit, it was tasked with providing specialized services to women and children who were victims of crime or perpetrators of criminal acts (Rumah Faye, 2019).

The PPA Unit has primary responsibilities in accordance with Law No. 2 of 2002, which include providing protection, care, and services to the public. These responsibilities encompass:

Protection: Protecting women and children from all forms of violence, discrimination, and other human rights violations.

Care: Providing psychological and emotional support to victims of crime and their families.

Services: Providing legal, medical, and social services to victims of crime.

The implementation of child protection in Indonesia refers to national and international laws and regulations. The primary national legal basis is Law No. 23 of 2002 on Child Protection and Law No. 35 of 2014 amending Law No. 23 of 2002 on Child Protection, which includes provisions on the definition of a child, the objectives of child protection, children's rights, the obligations of the State, society, and the family.

The Women and Children's Service Unit (PPA) of the Bali Police Department provides counseling and support services to child victims, with the aim of helping them recover from trauma and address the psychological impacts caused by the violence they have experienced. The Women and Children's Service Unit (PPA) of the Bali Police Department also provides swift and professional services to women and children who are victims of crime or violence, as well as offering protection, safety, and comfort to women and children (Sukamto, Dewi, & Fadhillah, 2023).

Challenges in Legal Protection for Children in Conflict with the Law at the Women and Children's Service Unit

Legal protection provisions for children are established with the aim of ensuring that children's needs are met so that they can live, grow, develop, and participate optimally in accordance with human dignity, and receive protection from violence and discrimination in order to become high-quality, noble, and prosperous individuals (Kejaksaan Tinggi Bali, 2025).

Legal protection for children in child protection services faces various challenges, ranging from a lack of public awareness to suboptimal coordination between agencies. Ineffective cooperation between relevant agencies, such as the Social Services Agency, can hinder the swift and appropriate handling of cases involving children in need of protection. Other challenges include insufficient reporting of cases, limited resources and facilities, as well as a lack of public understanding of children's rights and the importance of child protection.

From the above description, legal protection for children at the Women and Children's Service Unit (UPPA) at the Bali Regional Police Headquarters faces both internal and external obstacles. Internal obstacles are obstacles that originate from within law enforcement agencies and related agencies such as the Social Affairs Agency and the Population Control, Family Planning, Women's Empowerment, and Child Protection Agency ().

Internal Factors

Limited human resources (HR): including a lack of investigators trained in handling cases involving children, victims or perpetrators who lie during the investigation process, and special needs that are difficult for the Women and Children's Service Unit (PPA) to address. These constraints affect the performance of the UPPA, such as a lack of investigators trained in handling cases involving children. This study has practical and theoretical implications for the development of social welfare science, where social workers can act as liaisons and educators to help children and their families access the services they need, as well as assist in the process of behavior awareness or behavior modification as a problem-solving learning technique.

Limited government funding and lack of facilities to protect victims, especially minors.

2. External factors

These are obstacles originating from outside law enforcement agencies and related agencies. Some external obstacles faced by the police, Social Services, Population Control, Family Planning, Women's Empowerment, and Child Protection agencies are

Agreements reached during the investigation stage at the Bali Police Headquarters' PPA Unit absolutely require the presence of the victim and/or the perpetrator or their family. and/or the victim's family in a consultation to agree or disagree to proceed with reconciliation for a child in conflict with the law, except in cases of violations, minor criminal offenses, criminal offenses without victims, and criminal offenses resulting in losses not exceeding the provincial minimum wage (Kejaksaan Tinggi Bali, 2025).

Victims and/or their families often refuse invitations from investigators of the Bali Police's PPA Unit to attend meetings. The refusal by victims and/or their families to attend the meetings is based on the belief that the police are biased toward children in conflict with the law, do not provide justice to victims, but instead grant leniency to children in conflict with the law. As facilitators, investigators from the PPA Unit also need to clarify their position, without taking sides, as mandated by Article 7 of Law Number 11 of 2012 of the Republic of Indonesia on the Criminal Justice System for Children (Indonesia's juvenile justice system and SPPA Law progress, 2023).

Conclusion

Legal protection for children in conflict with the law at the *Women and Children's Service Unit (UPPA)* of the Bali Regional Police includes providing counseling and assistance to child victims with the aim of helping them recover from trauma and overcome the psychological effects of the violence they have experienced. This protection also involves rehabilitation for children as victims, collaboration with local authorities to provide legal assistance for children as victims or witnesses, procedural protection during the judicial process, access to information for children in these roles, provision of compensation and restitution, facilitation of children's participation in court proceedings, and the use of voice and facial disguises for child victims.

Barriers to legal protection for children at the *UPPA* of the Bali Regional Police include: many *PPA* investigators lacking specialized training; the absence of sufficient religious counseling services; limited budgets for investigation; and victims' reluctance to come forward due to fear of sharing their experiences, feelings of shame, or threats from perpetrators.

Based on these findings, this study offers several suggestions for improvement. First, increase the capacity of officers through special training on child psychology and a trauma-informed approach for *UPPA* investigators. Second, strengthen collaboration between institutions by establishing a coordination framework among *UPPA*, the Social Services, and community organizations. Third, enhance community involvement through outreach programs that engage Balinese traditional and religious leaders to align restorative justice initiatives with local wisdom. Fourth, allocate adequate budgets to improve counseling facilities and services.

Fifth, introduce policy recommendations such as improving *UPPA*'s operational guidelines and revising laws to reinforce community-based mediation and rehabilitation efforts.

References

- Alba, N. P. A. M. S. (2025). Legal protection for children who repeat criminal acts to fulfill the rights of children in conflict with the law in Denpasar city. *Prasada: Journal of Criminal Law*, 12(1), 25–34.
<https://ejournal.warmadewa.ac.id/index.php/prasada/article/download/11736/6522>
- Amartya, I. G. N. A., & Sadnyini, I. A. (2024). Legal protection for neglected children based on Regional Regulation of Bali Province No. 6 of 2014. *Unissula Law Review*, 10(1), 45–59.
https://www.researchgate.net/publication/380842552_Legal_Protection_for_Neglected_Children_Based_on_Regional_Regulation_of_Bali_Province
- Andrianto, A., Prawesthi, W., Handayati, N., & Sidarta, D. D. (2025). Restorative justice terhadap anak sebagai pelaku tindak pidana penganiayaan. *Journal of Innovation Research and Knowledge*, 5(2), 1169–1180.
<https://bajangjournal.com/index.php/JIRK/article/view/10592>
- Anggraeni, L. P. A. (2021). Implementasi restorative justice dalam penyelesaian tindak pidana anak di Polres Buleleng. *Jatayu: Jurnal Ilmu Hukum*, 1(2), 144–156.
<https://ejournal.undiksha.ac.id/index.php/jatayu/article/view/38062>
- ASEAN Secretariat. (2023, November). *ASEAN regional guidance on empowering women and children: The role of social service workforce*. https://asean.org/wp-content/uploads/2024/03/Regional-Guidance_Empowering-Women-and-Children-120124.pdf
- Badan Perencanaan Pembangunan Nasional, & Universitas Indonesia. (2023). *Studi sikap publik terhadap penerapan keadilan restoratif di Indonesia*. The Asia Foundation.
<https://asiafoundation.org/wp-content/uploads/2023/08/Study-on-Public-Attitude-towards-Restorative-Justice-Implementation-in-Indonesia-1.pdf>
- Bali Children's Project. (2023). *Child protection in Bali*. <https://balichildrensproject.org/child-protection/>
- Hosnah, A. U. (2025). Legal protection of children's rights in conflict with the law: Preventing power intervention in handling children. *KOSMIK: Journal of Law and Social Sciences*, 6(1), 56–68. <https://jurnalnasional.ump.ac.id/index.php/KOSMIK/article/view/24967>
- Indonesia's juvenile justice system and SPPA Law progress. (2023, June 26). *OPIC-net (CYC-net)*. <https://cyc-net.org/pdf/4915-13466-2-PB.pdf>
- Kejaksaan Tinggi Bali. (2025). *Implementasi restorative justice dalam kasus anak yang berkonflik dengan hukum*. <https://kejati-bali.kejaksaan.go.id/berita/detail/1292>
- Legal protection for neglected children based on Regional Regulation of Bali Province No. 6 of 2014. (2024). *USM Law Review*, 7(2), 88–101.
https://www.researchgate.net/publication/380842552_Legal_Protection_for_Neglected_Children_Based_on_Regional_Regulation_of_Bali_Province
- Legal protection through diversion in child crimes based on Law No. 11 of 2012 concerning the Juvenile Criminal Justice System. (2024, September 3). *International Journal of Social Science Research and Review*, 7(9), 133–140.
<https://ijssrr.com/journal/article/view/2361>
- Meyrina, R. S. A. (2019). Restorative justice dalam peradilan anak berdasarkan UU No. 11 Tahun 2012. *De Jure: Jurnal Penelitian Hukum*, 19(3), 345–360.
<https://repository.iainpalopo.ac.id/7944>
- Pelaksanaan restorative justice pada tindak pidana penganiayaan anak di Polda Bali. (2024). *Review-UNES*, 7(1), 55–70. <https://review-unes.com/index.php/law/article/view/2315>

- Rahmadani, K. D. A. (2023). Perspektif restorative justice sebagai perlindungan anak ABH. *Analogi Hukum*, 5(1), 45–54. <https://ejournal.warmadewa.ac.id/index.php/analogihukum/article/view/6553>
- Rumah Faye. (2019). *Restorative justice for children in conflict with the law*. <https://rumahfaye.or.id/en/restorative-justice-for-children/>
- Saptohutomo, A. P., & Kusumawati, N. (2023). Tinjauan normatif terhadap kekerasan anak dan penerapan restorative justice. *Jurnal Hukum TORA*, 9(2), 115–128. <https://ejournal.fhuki.id/index.php/tora/article/view/545>
- Sukanto, B., Dewi, A. K., & Fadhilah, R. (2023). Special protection for children in conflict with the law in Indonesia. *AMCA Journal of Community Development*, 2(3), 101–110. <https://journal.amca2012.org/index.php/ajcd/article/download/207/88>
- The right to special protection for children facing the law in Ternate City. (2023). *Cepalo*, 7(1), 1–13. <https://jurnal.unissula.ac.id/index.php/jurnalhukum/article/view/42331>
- Universitas Udayana. (2024). Eksistensi restorative justice dalam sistem peradilan pidana anak. *Kertha Semaya: Journal Ilmu Hukum*, 12(2), 200–214. <https://ojs.unud.ac.id/index.php/kerthasemaya/article/view/98738>