



Implementation of *Restorative Justice* in Resolution of the Criminal act of Theft with Aggravation by Children at Mataram City Police

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Abstract

This study aims to analyze the Implementation of *Restorative Justice* in handling criminal acts of aggravated theft committed by children in the Mataram City Police, using the Empirical Legal Research Method. The results of the study show that the Implementation of *Restorative Justice* in handling criminal acts of aggravated theft committed by children in the Mataram City Police, none of which were resolved with Diversion or *Restorative Justice*. The inhibiting factors for the implementation of *Restorative Justice* are Juridical Factors, Indonesia does not yet have regulations on *Restorative Justice* that are national and generally applicable to all Law Enforcement Officers, which are still sectoral in nature which only apply to each internal Law Enforcement Officer institution ; Non-juridical factors, even though there has been a peace agreement between the victim and the perpetrator, investigators cannot immediately carry out *Restorative Justice efforts* because in handling child cases they are required to refer to the SPPA Law and coordinate with other institutions such as PK Bapas, Peksos and LPA.

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Introduction

As a nation governed by law, as stipulated in the 1945 Constitution of the Republic of Indonesia, the Indonesian nation aims to realize a prosperous, safe, peaceful, orderly, just, and prosperous life for all its citizens. To achieve this goal, efforts are required to uphold justice, truth, and legal certainty, providing protection and guidance to the community^[1]. One way to achieve this is through criminal law enforcement.

Criminal Law is a legal rule (*rechtsregel*) a statement and proposition containing legal rules, which regulate commands (*gebod*), prohibitions (*verbod*), and permissibility (*mogen*). Therefore, in order to realize legal order in society, sanctions are needed for those who violate it^[2]. The crime of theft as regulated in the Criminal Code, abbreviated as KUHP according to the law and its elements in Article 362 of the KUHP, is a formulation of theft in its basic form which explains:

"Whoever takes something, which belongs wholly or partly to another person, with the intention of possessing it unlawfully, is guilty of theft, with a maximum prison sentence of five years or a maximum fine of nine hundred rupiah^[3]."

¹ Rodliyah, Criminal Law Reform Regarding the Execution of the Death Penalty for Pregnant Women, Arti Bumi Intaran, Yogyakarta, no year, p. 1.

² Amiruddin, Indonesian Criminal Law, Genta Publishing, 1st Edition, Yogyakarta, 2015, pp. 1 and 3.

³ Adami Chazawi, Crimes Against Property and Objects, Media Nusa Creative, 2016, p. 5.

Then, theft under aggravating circumstances can perhaps be interpreted as special theft, namely as a theft in certain ways so that it is more serious and therefore threatened with a higher maximum penalty, namely more than five years imprisonment or more than the penalty threatened in Article 362 of the Criminal Code^[4]. Theft in aggravated form is regulated in Article 363 and Article 365 of the Criminal Code.

Restorative justice can be used to resolve aggravated theft committed by children. However, Indonesia does not yet have a comprehensive restorative justice system; the existing restorative justice system is still implemented partially by each law enforcement agency. For the benefit of children, a restorative justice approach can be implemented firmly as a responsive approach. This means that responsive law does not abandon the concept of justice but rather expands it to encompass substantive justice^[5].

Research Methods

This type of research is empirical legal research with 5 (five) types of approaches used, including the Statute Approach, Conceptual Approach, Case Approach, Sociological Approach, and Legal Anthropology Approach. Regarding legal data sources, there are 2 (two), namely primary legal data and secondary legal data. Data collection techniques are Document studies and Interviews. After all legal data has been obtained, it is then analyzed using descriptive qualitative analysis techniques.

Discussion

Implementation of Restorative Justice in Resolving Criminal Acts of Aggravated Theft by Children at the Mataram City Police

Handling of the crime of theft in the criminal justice system in Indonesia by the police is a *Restorative Justice approach* based on Article 2 of the Regulation of the Republic of Indonesia National Police Number 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice, implemented in the following activities^[6]:

1. Criminal Research function organizer;
2. Investigation; or
3. Investigation.

The spirit of law enforcement through *the Restorative Justice mechanism* is emphasized in Law Number 59 of 2024 concerning the National Long-Term Development Plan, that Indonesia's transformation towards a Golden Indonesia as stated in Article 7 paragraph 3 of the Vision of Golden Indonesia 2045 in the National RPJP 2025-2045 letter d is the transformation of the rule of law that has a restorative paradigm and a human rights perspective. The rule of law is focused on integrated and accountable law enforcement that is just and civilized, a peaceful society that obeys the law and law enforcement officers who have integrity and have a restorative paradigm based on human rights.

Based on the data obtained by researchers, theft in the form

of aggravated (*gequalificeerde diefstal*) committed by children in the jurisdiction of the Mataram City Police in the category of aggravated theft, a total of 45 cases, none of which underwent Diversion or *Restorative Justice* because they were hampered by Regulations. that is *The Juvenile Justice and Child Protection Law (SPPA)* serves as a reference for the Republic of Indonesia National Police Regulation Number 8 of 2021 concerning the Handling of Criminal Acts Based on Restorative Justice. Meanwhile, from 2022 to 2024, there were 197 cases involving adult suspects at the Mataram City Police Department, with 51 cases resolved using *Restorative Justice*, 143 cases progressing to the P-21 stage, and 3 cases to the SP3 stage^[7]. In the Juvenile Criminal Justice System, diversion is mandatory. Diversion for children is required at the level of investigation, prosecution, and examination of juvenile cases in the District Court. Diversion for children who commit crimes can be carried out if they are threatened with imprisonment of less than 7 (seven) years and are not a repeat of the crime^[8]. In addition to referring to the SPPA Law, the Mataram City Police are technically guided by the Republic of Indonesia National Police Regulation Number 8 of 2021 concerning Handling of Criminal Acts Based on Restorative Justice. This restorative justice handling must meet several requirements, namely General Requirements and Special Requirements^[9]. Then, there are material requirements and Formal requirements, this is based on Restorative Justice, namely Material Requirements^[10] and Formal Requirements^[11].

From the results of the research conducted by the author, the application of *Restorative Justice* in handling the crime of aggravated theft committed by children at the Mataram City Police cannot be implemented because it is hampered by the SPPA Law which requires a minimum threat of 7 years in prison and not a repetition of the crime which is problematic where *Restorative Justice* cannot be carried out on children who commit the crime of aggravated theft.

Based on the results of the author's analysis and observations, the application of *Restorative Justice should be implemented for* aggravated theft crimes committed by children with a threat of 7 years in prison, namely by using discretionary authority, while those under 7 years in prison must use diversion.

The Problem of Implementing *Restorative Justice* in handling aggravated theft crimes committed by children compared to the application of *Restorative Justice* in aggravated theft crimes committed by adults shows a difference in terms of criminal threats. If children are limited to threats under 7 years old and repeated criminal acts, while against adults who do not emphasize criminal threats, *Restorative Justice can be implemented*.

The author believes that the regulations governing the application of *Restorative Justice* in the crime of theft with equalization committed by children do not accommodate the legal interests of children and do not provide a sense of legal justice to children who must be protected by the State for the

⁴ Wirjono Prodjodikoro, *Certain Criminal Acts in Indonesia*, Refika Aditama, Bandung, 2010, h 1 m. 20-21.

⁵ Zainal Asikin, *Understanding the Philosophy of Law (the concept of justice and gender)*, Pustaka Bangsa, Mataram, 2018, p. 10.

⁶ Article 2 of Police Regulation No. 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice.

⁷ Mataram City Police, *Data on Aggravated Theft Cases*, July 11, 2025.

⁸ Article 7 of the Republic of Indonesia Law Number 11 of 2012 concerning the Child Criminal Justice System, abbreviated as SPPA ;

⁹ Article 3 of the Republic of Indonesia National Police Regulation Number 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice.

¹⁰ *Ibid*, Article 4 letter a and Article 5 of the Chief of Police Regulation No. 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice.

¹¹ *Ibid*, Article 4 letter b and Article 6 of the Chief of Police Regulation No. 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice.

sake of a better future for children. For the sake of children's legal interests, on November 20, 1989, the United Nations (UN) Convention was born internationally which discusses the Rights of the Child and was then ratified by Indonesia with Presidential Decree Number 36 of 1990 concerning the Ratification of *the Convention on the Rights of the Child*, in the convention contains the obligation for the state to guarantee the implementation of children's rights. Article 2 paragraph 1 of the Convention on the Rights of the Child states: "States Parties *shall* respect and guarantee the rights set forth in this Convention to every child within their jurisdiction without discrimination of any kind, regardless of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political opinion, social origin, property, disability, birth or other status." Therefore, the State should be the primary protector and guarantor of the protection of all children from all forms of discrimination by anyone, as stated in Article 2 of the Convention on the Rights of the Child^[12].

Through internal police regulations against children who commit aggravated theft can be implemented by using the authority of Police Discretion as contained in Article 18 paragraph 1 of Law No. 2 of 2002 concerning the Police. Discretionary rules provide space for the police to act based on their own assessment for the public interest while still paying attention to the legal corridor. Regarding the limitation of the threat of punishment under 7 years in prison in the SPPA Law, Diversion is required with a restorative justice approach, but there is no prohibition on the police to resolve cases through the *Restorative Justice mechanism*, especially for children who commit the crime of aggravated theft with the threat of a sentence of 7 years in prison.

When linked to the legal interests of children, in Article 40 of the Convention on the Rights of the Child, the issues addressed are related to the administration of juvenile justice, which include:

1. the right of every child in conflict with the law to be treated with respect and dignity appropriate to their age;
2. prioritizing child reintegration and rehabilitation;
3. diversion, which is an effort to prevent children from being involved in the judicial process so that children can enjoy their basic rights and receive full legal protection; minimum guarantees of children's basic rights in the administration of criminal justice, including the presumption of innocence, access to legal aid, confidentiality, and so on.

In Indonesia, legal protection for children through Law No. 35 of 2014 concerning amendments to Law No. 23 of 2002 concerning Child Protection Article 3 affirms that every child in the criminal justice process has the right: 1) to be treated humanely by taking into account needs according to their age; 2) to be separated from adults; 3) to obtain legal aid and other assistance effectively; 4) to engage in recreational activities; 5) to be free from torture, punishment or other cruel, inhumane, and degrading treatment and dignity; 6) not to be sentenced to death or life imprisonment; 7) not to be arrested, detained, or imprisoned, except as a last resort and for the shortest time; 8) to obtain justice before a Juvenile Court that is objective, impartial, and in a trial that is closed to the public; 9) not to have their identity published; 10) to receive

assistance from parents/guardians and people trusted by the child; 11) to receive social advocacy; 12) to have a private life; 13) to have accessibility, especially for children with disabilities; 14) to receive education; 15) obtain health services; and 16) obtain other rights in accordance with the provisions of laws and regulations. Furthermore, other rights regarding children are: 1) "Every child has the right to live, grow, develop, and participate fairly in accordance with human dignity and honor and receive protection from violence and discrimination" (Article 4 UUPA); 2) Every child has the right to receive health services and social security according to physical, mental, spiritual, and social needs" (Article 8 UUPA); 3) "Every child while in the care of parents, guardians, or any other party responsible for care, has the right to receive protection from the following treatment: a) Discrimination b) Exploitation, both economic and sexual; c) Neglect; d) Cruelty, violence and abuse; e) Injustice, and f) Other mistreatment (Article 13 paragraph (1) UUPA); 4) To guarantee the fulfillment of Children's Rights, the state is obliged to fulfill, protect, and respect Children's Rights (Article 21 UUPA).

The spirit of the Law on the Juvenile Criminal Justice System (SPPA) regulates the entire process of resolving cases of children in conflict with the law, starting from the investigation stage to the guidance stage after serving their sentence.

However, the fact is that in cases of children who are facing the law for the crime of aggravated theft, this is not in line with the spirit of the principle of legal protection for children, namely in accordance with the *Convention on the Rights of the Child* as ratified by the government of the Republic of Indonesia with Presidential Decree Number 36 of 1990 concerning the Ratification of *the Convention on the Rights of the Child*.

So, the author argues that in cases of children who commit aggravated theft, the concept of *Restorative Justice can be carried out* at the police stage on the basis of the legal interests of children protected by the constitution and the Child Protection Law. Children are protected by the Child Protection Law, which confirms that the criminal threat imposed on children is half of the maximum adult sentence, and there is no death penalty or life imprisonment. The author's opinion is certainly based on a strong analysis of the handling of aggravated theft committed by children based on the principle of legal justice for children, that justice is described as a state of balance that brings peace in people's hearts, if disturbed or violated it will cause anxiety and shock. Referring to Lon L. Fuller's opinion in his book entitled "*The Morality of Law*", there are eight paths to failure in the formation of laws, namely^[13]: *Rules that require conduct beyond the powers of the affected party*. (Rules that require something that is not in accordance with the capabilities of the affected party) ; *Introducing such frequent changes in the rules that the subject cannot orient his action by them*. (Regulatory changes that are too frequent, so that the subjects of the regulations find it difficult to adapt to the existing regulations) ; *A failure to congruence between rules as announced and their actual administrations*. (Failure to align existing regulations with implementation in the field).

In line with this, corrective justice according to Aristotle is that justice which guarantees, supervise and look after this

¹² Pingkan V. Tambalean, Law Enforcement for Criminal Acts of Theft Committed by Minors, *Lex et Societatis*, Vol. 1/No.2/Apr-Jun/2013, pp. 15-16

¹³ Lon L. Fuller, *The Morality of Law*, (Yale University Press, revised edition, New Haven and London, 1969, p. 39.

distribution against illegal attacks. Function corrective justice in principle arranged by judge And stabilize return status quo by returning owned by victim Which concerned or with how to replace his lost one g^[14]. John Rawls think: Justice as *fairness* the subject the main thing is structure base public, or more exactly how institutions main social distribute rights and fundamental obligations as well as determine the distribution of profits from social cooperation^[15].

In principle, the application of *Restorative Justice* should provide a sense of justice to children who must be protected by law. So that the SPPA Law should be in line with the objective of protecting the interests of children as stated in the Child Criminal Justice System Law implemented based on the principles of: a) protection; b) justice; c) non-discrimination; d) the best interests of the child; d) respect for the child's opinion; e) the survival and growth of the child; f) guidance and guidance of the child; g) proportionality; h) deprivation of liberty and punishment as a last resort; and j) avoidance of retaliation.

Article 3 of the SPPA Law has emphasized that every child in the criminal justice process has the right to be treated humanely by paying attention to needs according to their age and being separated from adults so that *Restorative Justice* in the crime of aggravated theft should be applied to child perpetrators because the SPPA Law requires child perpetrators to be limited to threats under 7 years whose handling must be carried out by diversion with a restorative justice approach, while with a minimum threat of 7 years or more the Police can implement *Restorative Justice* (RJ) with Police Regulation No. 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice and the authority of police Discretion granted by the Police Law, in addition to other considerations the police can carry out *Restorative Justice*, namely the Child Protection Law which emphasizes that the threat of criminal punishment imposed on children is half of the maximum adult sentence, and there is no death penalty or life imprisonment.

Restorative Justice according to Bagir Manan, in his writings describes the substance of *Restorative Justice* which contains principles, including:

"Building collaborative participation between perpetrators, victims, and community groups to resolve an incident or crime. Positioning perpetrators, victims, and the community as stakeholders who work together and directly strive to find a resolution that is deemed fair to all parties (win-win solutions)"^[16].

In cases of criminal acts committed by children, the *Restorative Justice System* at least aims to repair/restore (*to restore*) criminal acts committed by children with actions that are beneficial to children, victims and their environment that involve them directly (reintegration and rehabilitation) in solving problems, and is different from the way adults handle

them,^[17] which will then lead to the purpose of the punishment itself which according to Barda Nawawi Arief the purpose of punishment is based on "community protection" and "protection/development of individual perpetrators of criminal acts"^[18]. According to Satjipto Rahardjo,^[19] in the doctrine of progressive legal theory "law is an institution that aims to lead humans to a just, prosperous life, making humans happy". So that man-made laws should not reduce the nobility and respect limited to what is stated in the law. Progressive law understands the concept of justice as a law that truly pays attention to new legal sources to achieve justice. So, it is no longer fundamental that women and children are the weakest legal subjects.

Aggravated theft is a common theft which in its implementation is accompanied by certain aggravating circumstances, theft in other aggravated forms is regulated in Article 363 of the Criminal Code and Article 365 of the Criminal Code. The concept of *Restorative Justice* should be an alternative solution to problems faced by children in conflict with the law as a medium to protect the rights and legal justice for children to be resolved progressively in order to protect the legal interests of children protected by the constitution, this is in line with Muladi's thinking^[20] that restorative justice is an approach to justice based on the philosophy and values of responsibility, openness, trust, hope, healing, and "inclusiveness" and has an impact on policy decision-making in the criminal justice system and legal practitioners throughout the world and promises positive things in the future in the form of a justice system to address conflicts resulting from crime and law that can be accounted for and restorative justice can be implemented if the focus of attention is directed at the losses resulting from criminal acts, the same concern and commitment to involve perpetrators and victims, encourage perpetrators to be responsible, opportunities for dialogue between perpetrators and victims, involve communities affected by crime in the retroactive process, encourage cooperation and reintegration. Similarly, Bagir Manan's view is that^[21] *restorative justice* is generally understood as a restructuring of the criminal justice system to be fairer for perpetrators, victims, and the community. The *restorative justice process* is closely linked to the implementation of *empowerment*.

Restorative Justice practices and programs are reflected in their goal of addressing criminal acts by^[22] identifying and taking steps to repair harm/damage, changing the traditional relationship between the community and the government in responding to crime. Restorative justice programs can be used at any stage of the criminal justice system and agreements are based on the basic facts related to the case concerned, and the perpetrator's participation cannot be used as evidence of guilt in subsequent legal proceedings. Restorative justice processes are only used when there is sufficient evidence to charge the perpetrator of the crime and accompanied by the freedom and voluntariness of the

¹⁴ Abdul Gh o fur Anshori, Philosophy of a t Law, Elephant Mada University Press, Yogyakarta, 2006, h lm, 47.

¹⁵ John Rawls, A Theory Of Justice; Theory Justice, Library Study, Without Year, p lm. 7.

¹⁶ Eva Achjani Zulfa, Defining Restorative Justice, September 29, 2016, p. 7.

¹⁷ DS. Dewi, Restorative Justice, Diversionary Schemes and Special Children's Courts in Indonesia. Unpublished article, p. 1.

¹⁸ Barda Nawawi Arief, Anthology of Criminal Law Policy, Kencana Prenada Media Group, Jakarta, 2008, p. 98.

¹⁹ Satjipto Rahardjo, Delving into the Spirit of Progressive Law, Paradigm Therapy for Weak Indonesian Law, Antony Lib, Yogyakarta, 2009, p lm. 52.

²⁰ National Seminar on the 59th Anniversary of the Indonesian Judges Association (IKAHI) with the theme " Restorative Justice in Indonesian Criminal Law", Jakarta, April 25, 2012.

²¹ Magazine, Year XX. No. 247, Publisher: Indonesian Judges Association, June 2006, p. 3.

²² Mc Cold and Wachtel, Restorative Practices, The International Institute for Restorative Practices (IIRP), 2003, p m. 7.

perpetrator's victim. This includes the freedom of the perpetrator and victim to withdraw from the agreement at any time during the process. Agreements must also be reached voluntarily and contain reasonable and proportionate obligations. If a restorative process is not appropriate or possible, the case must be returned to the criminal justice system official, and a decision must be made to proceed immediately without delay^[23].

This is because the value of utility is the main objective of the law, the utility in question is happiness, which does not blame the fairness or unfairness of a legal product, but depends on whether the law can provide happiness to society or not^[24]. In the view of Utilitarianism Theory (utility theory) initiated by Jeremy Bentham (1748-1832)^[25]. According to him, law is a command from the ruler, so law only exists in written regulations made by the rulers of the state. There is no other law outside the law of the ruler of the state. He stated that in the formation of laws, it must be considered that the law is aimed at realizing justice and interests for every individual without exception that is discriminatory^[26]. According to Satjipto Rahardjo, progressive law enforcement involves enforcing the law not merely *according to the letter of the law*, but rather according to the spirit and deeper meaning of the law or law in its broadest sense. Law enforcement requires not only intellectual intelligence but also spiritual intelligence. In other words, law enforcement is carried out with determination, empathy, dedication, and a commitment to the nation's suffering, along with the courage to seek alternative paths^[27].

The author argues that the concept of *Restorative Justice* in handling cases of children who commit theft with equalization is guided by the SPPA Law which accommodates the interests of children and must provide legal justice to the child itself as the purpose of Child Protection and the Child Criminal Justice System Law. Thus, the handling of criminal acts of theft with equalization committed by children according to the author can be carried out using the *Restorative Justice method* referring to the SPPA Law and technically guided by the Regulation of the Republic of Indonesia National Police Number 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice, the Child Protection Law and the Republic of Indonesia National Police Law concerning Police Discretionary authority.

Inhibiting factors in the application of *Restorative Justice* in handling criminal acts of aggravated theft committed by children at the Mataram City Police Station

The obstacles faced by the Mataram City Police, especially the PPA Unit of the Criminal Investigation Unit, in enforcing the juvenile criminal justice system, from the author's analysis, are that the factors that inhibit the application of *Restorative Justice* in handling aggravated theft crimes committed by children are:

1. Legal Factors, Indonesia does not yet have a national regulation on *Restorative Justice* that applies generally

to all Law Enforcement Officials, the existing ones are still sectoral in nature, that is, they only apply within each internal Law Enforcement Official institution with different parameters, so that *Restorative Justice* cannot be implemented effectively. However, with the ratification of the Draft Law on the Criminal Procedure Code (RUU KUHAP) into a Law that already regulates *Restorative Justice*, the inhibiting factor in the form of sectoral *Restorative Justice regulations* no longer exists.

2. Non-Juridical Factors, Investigators as law enforcers cannot carry out *Restorative Justice* against children who commit aggravated theft, even though there has been peace between the child in conflict with the law and the victim, but investigators cannot immediately apply the Regulation of the Republic of Indonesia National Police Number 8 of 2021 concerning Handling of Criminal Acts Based on Restorative Justice, because the handling of children in conflict with the law refers to Law of the Republic of Indonesia Number 11 of 2012 concerning the Juvenile Criminal Justice System, which in the process of handling children's cases must involve Community Guidance (PK) at the Correctional Center (Bapas), Social Workers (Peksos) and Child Protection Institutions (LPA), so that even though the Police have Discretionary authority in carrying out *Restorative Justice*, they are required to coordinate with these institutions. According to Soerjono Soekanto, several factors that influence the success of the law include^[28]: legal factors, law enforcement factors, legal facilities or facilities, community factors, and cultural factors.

Conclusion

That the implementation of restorative justice in handling criminal acts of aggravated theft committed by children at the Mataram City Police, of the 45 cases with child suspects, none were resolved with Diversion or Restorative Justice, as many as 44 cases continued to the P-21 stage and have been transferred to the Public Prosecutor and as many as 1 case was stopped investigation (SP3) due to insufficient evidence. According to the Author, the handling of criminal acts of aggravated theft committed by children can be carried out using the *Restorative Justice method* referring to the SPPA Law and technically guided by the Regulation of the Republic of Indonesia National Police Number 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice, the Child Protection Law and the Republic of Indonesia National Police Law concerning Police Discretionary authority. Meanwhile, the obstacles faced are that legally, Indonesia does not yet have regulations on national *Restorative Justice that apply generally to all Law Enforcement Officers and Non-Juridical Factors*, Investigators as law enforcers cannot carry out *Restorative Justice* on children who commit crimes of aggravated theft, even though there has been peace between children in conflict with the law and the victim, but investigators cannot immediately apply the Regulation of the Republic of Indonesia National Police Number 8 of 2021

²³ Muladi, Restorative Justice in the Criminal Justice System and its Implementation in Resolving Criminal Acts Committed by Children, Paper in Focus Group Discussion (FGD) Implementation of Restorative Justice in Resolving Criminal Acts Committed by Children, Organized by the SHN Research and Development Center – BPHN, Jakarta, August 26, 2013. In BPHN Jakarta, p. 7.

²⁴ Lilik Rasyidi in Zainuddin Ali, Philosophy of Law, Sinar Grafika, Jakarta, 2010, p. 59.

²⁵ Achmad Ali, (a), Unveiling the Veil of Law (A Philosophical and Sociological Study), Gunung Agung Shop, Jakarta, 2002, p. 267.

²⁶ Ibid, p. 290.

²⁷ Satjipto Rahardjo, Law Enforcement: A Sociological Review, Genta Publishing, Yogyakarta, 2009, p. 13.

²⁸ Soerjono Soekanto, Principles of Legal Sociology, Raja Grafindo Persada, Jakarta, 2007, p. 110.

concerning Handling of Criminal Acts Based on Restorative Justice, because the handling of children in conflict with the law refers to Law of the Republic of Indonesia Number 11 of 2012 concerning the Juvenile Criminal Justice System.

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Legislation

Law Number 1 of 1946 concerning the Basic Code of Criminal Law;
 Law Number 8 of 1981 concerning the Criminal Code;
 Law Number 2 of 2002 concerning the Republic of Indonesia Police
 Law Number 11 of 2012 concerning the Juvenile Criminal Justice System;
 Law Number 59 of 2024 concerning the National Long-Term Development Plan;
 Supreme Court Regulation (PERMA) Number 4 of 2014 concerning Guidelines for the Implementation of Diversion in the Juvenile Criminal Justice System;
 Regulation of the Republic of Indonesia National Police Number 8 of 2021 concerning Handling of Criminal Acts based on Restorative Justice.

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