

Juridical Analysis of Judgment Number 03/Pid.Sus-Anak/2020/PN.Enr in Light of Law Number 1 of 2023 on the Criminal Code and Law Number 11 of 2012 on the Juvenile Criminal Justice System

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Abstract: *This study examines the legal considerations underlying the imposition of imprisonment and vocational training on a juvenile offender in Judgment Number 03/Pid.Sus-Anak/2020/PN.Enr and evaluates its conformity with Law No. 11 of 2012 concerning the Juvenile Criminal Justice System and Law No. 1 of 2023 concerning the Criminal Code. The research employs a normative juridical method using statutory and case approaches. Primary legal materials consist of relevant legislation and the court judgment, while secondary legal materials include legal literature and scholarly publications on juvenile criminal law and restorative justice. The collected legal materials are analyzed qualitatively through legal interpretation and doctrinal analysis. The findings indicate that the court considered both juridical and non-juridical factors, including the seriousness of the offense, the child's personal circumstances, and the objectives of juvenile justice. The imposition of imprisonment was intended to ensure accountability for a serious violent offense resulting in death, whereas vocational training functioned as a rehabilitative measure to promote the child's personal development and social reintegration. Although diversion was not applicable due to the gravity of the offense, the judgment reflects the principles of restorative justice by emphasizing rehabilitation alongside punishment. Furthermore, the court's reasoning is consistent with the sentencing philosophy embodied in Law No. 1 of 2023, which promotes proportionality, rehabilitation, and the restoration of social balance. Accordingly, the combination of imprisonment and vocational training demonstrates a balanced approach that protects the interests of victims while safeguarding the rights and future development of juvenile offenders.*

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INTRODUCTION

Children occupy a strategic position in the continuity of a nation's development and therefore require special protection from the State. This protection extends not only to children who are victims of crime but also to children who come into conflict with the law. Unlike adult offenders, juvenile offenders are still in the process of physical, psychological, emotional, and social development. Consequently, the criminal justice system applicable to children must prioritize rehabilitation, education, and social reintegration rather than retribution alone (Law No. 11 of 2012; Law No. 35 of 2014).

The Indonesian juvenile criminal justice system has undergone significant reform with the enactment of Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). This legislation introduced a paradigm shift from a punitive model toward a restorative justice approach that emphasizes the protection of children's rights, diversion, rehabilitation, and the best interests of the child. The SPPA Law recognizes that imprisonment should constitute an ultimum remedium (last resort) and that every child in conflict with the law should be afforded opportunities for education, vocational development, and reintegration into society. Consequently, judges are required to balance legal certainty, justice, and social benefit when imposing criminal sanctions on juvenile offenders (Law No. 11 of 2012).

The philosophy underlying juvenile criminal justice has been further reinforced by Law No. 1 of 2023 concerning the Criminal Code, which introduces a modern sentencing framework

emphasizing corrective, restorative, and rehabilitative objectives. The new Criminal Code departs from the traditional retributive approach by recognizing that punishment should not merely inflict suffering upon offenders but should also restore social harmony, protect victims, prevent recidivism, and facilitate the offender's reintegration into society (Law No. 1 of 2023). Although the Criminal Code applies generally to all offenders, its principles are particularly relevant to juvenile justice because they align with internationally recognized standards of child protection, including those embodied in the United Nations Convention on the Rights of the Child (UNCRC), which has been ratified by Indonesia.

Despite these legal developments, juvenile offenders who commit serious violent crimes resulting in death present a complex challenge for the criminal justice system. Such offenses demand accountability due to the severe harm inflicted upon victims and society, while simultaneously requiring protection of the child's rights and future development. This dual objective creates a tension between the need for punishment and the obligation to promote rehabilitation. Judges must therefore determine whether imprisonment alone sufficiently fulfills the objectives of juvenile justice or whether additional rehabilitative measures are necessary to support the child's social reintegration.

One case illustrating this legal issue is Judgment Number 03/Pid.Sus-Anak/2020/PN.Enr, decided by the District Court of Enrekang. In this case, the court imposed both a custodial sentence and vocational training on a child convicted of committing a violent offense resulting in death. The judgment demonstrates the court's attempt to balance criminal accountability with educational and rehabilitative objectives. The inclusion of vocational training reflects the principle that sanctions imposed on children should not only punish unlawful conduct but also equip juvenile offenders with practical skills that reduce the likelihood of reoffending after their release.

Previous studies on juvenile criminal justice have generally focused on the implementation of diversion, restorative justice, or child protection principles in ordinary criminal cases. Comparatively limited attention has been devoted to judicial reasoning in serious violent crimes committed by children, particularly regarding the compatibility of combined imprisonment and vocational training with both the SPPA Law and the sentencing philosophy introduced under Law No. 1 of 2023. Consequently, there remains a need for doctrinal legal analysis examining whether judicial sentencing practices adequately reflect the principles of rehabilitation, proportionality, restorative justice, and the best interests of the child.

Based on these considerations, this study analyzes the legal reasoning adopted by the judges in Judgment Number 03/Pid.Sus-Anak/2020/PN.Enr in imposing imprisonment together with vocational training upon a juvenile offender. Furthermore, this study evaluates the conformity of the judgment with Law No. 11 of 2012 concerning the Juvenile Criminal Justice System and Law No. 1 of 2023 concerning the Criminal Code, particularly regarding the principles of restorative justice, proportionality, rehabilitation, and child protection. Through this analysis, the study seeks to contribute to the development of juvenile criminal law in Indonesia by providing a normative assessment of sentencing practices in cases involving serious violent crimes committed by children.

RESEARCH METHOD

This study employs normative juridical (doctrinal) legal research, which examines law as a system of norms contained in legislation, court decisions, legal principles, and legal doctrines. Normative legal research is intended to analyze legal issues by interpreting applicable legal rules rather than collecting empirical data from the field (Marzuki, 2021; Negara, 2023).

This research uses two primary approaches: the statute approach and the case approach. The statute approach examines the legal norms governing juvenile criminal responsibility, particularly Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, Law No. 1 of 2023 concerning the Criminal Code, and Law No. 35 of 2014 concerning Child Protection. These statutes are analyzed to determine the legal principles regulating juvenile sentencing, restorative justice, rehabilitation, and the protection of children's right

RESULT AND DISCUSSION

Judicial Considerations in Sentencing

In Judgment No. 03/Pid.Sus-Anak/2020/PN.Enr, the judge carefully considered both legal and non-legal factors before imposing the sentence. The decision reflects the principle that juvenile justice differs fundamentally from adult criminal justice because its primary objective is the rehabilitation and reintegration of the child rather than merely imposing punishment (Law No. 11 of 2012).

Several important considerations can be identified:

1. Subjective Elements

The judge examined the child's psychological condition, level of maturity, educational background, family environment, and the possibility that these factors influenced the commission of the offense. These considerations are consistent with the principles contained in the Juvenile Criminal Justice System Law, which requires protection of children's rights throughout every stage of criminal proceedings (Law No. 11 of 2012).

2. Objective Elements

The court evaluated witness testimony, forensic evidence, and other documentary evidence to establish whether the legal elements of the offense had been fulfilled. Based on the available evidence, the judge concluded that the child was legally and convincingly proven guilty of committing a violent crime resulting in death (District Court of Enrekang, 2020).

3. Individualization of Punishment

Juvenile sentencing requires the individualization of punishment, meaning that sanctions should correspond not only to the seriousness of the offense but also to the child's personal circumstances, level of responsibility, and prospects for rehabilitation (Nawawi Arief, 2010).

4. Best Interests of the Child

The principle of the best interests of the child is a cornerstone of juvenile justice. Although the offense resulted in the loss of life, the court recognized that the child still possessed the capacity for personal development and behavioral change. Consequently, the sentence sought to combine accountability with rehabilitation (Law No. 11 of 2012; Law No. 35 of 2014).

Application of Restorative Justice Principles

Law No. 11 of 2012 establishes restorative justice as the philosophical foundation of Indonesia's juvenile criminal justice system. Restorative justice aims to restore social harmony by involving victims, offenders, families, and communities whenever possible (Law No. 11 of 2012).

Nevertheless, restorative justice has practical limitations. Diversion generally cannot be applied to serious violent crimes resulting in death because of the gravity of the offense. Even so, restorative values remain relevant during sentencing. Judges may consider the child's remorse, willingness to accept responsibility, family support, recommendations from community counselors, and opportunities for rehabilitation (Marzuki, 2021).

Thus, although formal diversion was unavailable, restorative justice continued to influence judicial reasoning by emphasizing rehabilitation over purely retributive punishment.

Combination of Imprisonment and Job Training

The Juvenile Criminal Justice System Law recognizes that criminal sanctions imposed on children should contain educational and rehabilitative value (Law No. 11 of 2012).

1. Imprisonment

Imprisonment serves several legal objectives, including protecting society, ensuring accountability, maintaining legal certainty, and acknowledging the seriousness of the offense. However, imprisonment must remain a measure of last resort (*ultimum remedium*) and should be imposed only for the shortest appropriate period (Law No. 11 of 2012).

2. Job Training

Vocational training constitutes an important rehabilitative measure because it equips juvenile offenders with practical skills needed for successful reintegration into society. Such training may include vocational education, entrepreneurship, agriculture, carpentry, automotive repair, and computer skills. By providing employable skills, the justice system seeks to reduce recidivism while preparing children for productive participation in society after release (Nawawi Arief, 2010).

Compatibility with Law No. 1 of 2023 concerning the Criminal Code

Although Judgment No. 03/Pid.Sus-Anak/2020/PN.Enr was decided before the enactment of Law No. 1 of 2023 concerning the Criminal Code, its reasoning is consistent with the philosophy embodied in the new Criminal Code.

Law No. 1 of 2023 emphasizes proportionality, rehabilitation, restoration of social balance, protection of human dignity, and individualized sentencing. These principles represent a shift from a purely punitive approach toward a more balanced criminal justice policy that considers victims, offenders, and society as a whole (Law No. 1 of 2023).

The combination of imprisonment and vocational training imposed in this case reflects these objectives by ensuring accountability while simultaneously facilitating rehabilitation and social reintegration.

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From a juridical perspective, the judgment demonstrates the application of several important legal principles.

1. Principle of Legality

The conviction was based on statutory provisions applicable at the time the offense was committed, thereby fulfilling the principle of legality (*nullum crimen, nulla poena sine lege*) (Law No. 1 of 2023).

2. Principle of Proportionality

The sentence reflects a proportional response to the seriousness of the offense while acknowledging the offender's status as a child. This demonstrates that juvenile punishment must differ from adult punishment, even where the resulting harm is severe (Marzuki, 2021).

3. Ultimum Remedium

The principle of *ultimum remedium* requires imprisonment to be imposed only when less restrictive measures cannot adequately achieve justice. Because the offense resulted in death, the court considered imprisonment necessary while simultaneously incorporating vocational training to promote rehabilitation (District Court of Enrekang, 2020).

4. Child Protection Principle

Law No. 35 of 2014 guarantees that every child, including those in conflict with the law, is entitled to protection of their rights. Consequently, sentencing should not merely punish but also promote education, personal development, and social reintegration (Law No. 35 of 2014).

Balance Between Victim and Offender

An effective juvenile justice system balances justice for victims with opportunities for offender rehabilitation. In this case, imprisonment recognized the gravity of the victim's loss, whereas vocational training reflected the State's responsibility to rehabilitate juvenile offenders. Such an approach is consistent with both the Juvenile Criminal Justice System Law and the Criminal Code (Law No. 11 of 2012; Law No. 1 of 2023).

Implications for Future Juvenile Justice

This judgment illustrates the evolving philosophy of juvenile criminal law in Indonesia. Future courts should continue prioritizing rehabilitation while ensuring accountability for serious crimes. The implementation of Law No. 1 of 2023 further reinforces this policy direction by emphasizing corrective, restorative, and rehabilitative objectives of punishment.

To improve juvenile justice, policymakers should strengthen vocational education, psychological counseling, family participation, cooperation among correctional institutions and social workers, and post-release supervision programs. These measures support the broader objective of preventing recidivism and facilitating successful reintegration into society (Law No. 11 of 2012; Marzuki, 2021).

CONCLUSION

The imposition of a prison sentence on a child who committed a violent offense resulting in death—as set forth in Judgment No. 03/Pid.Sus-Anak/2020/PN.Enr—took into account educational aspects through vocational training. This is crucial to ensure that the sentence is not merely punitive but also serves as a means of rehabilitation, preventing the child from reoffending in the future.

REFERENCES

- Arif, Barda Nawawi. *Kapita Selekta Hukum Pidana*.
District Court of Enrekang. (2020). *Judgment Number 03/Pid.Sus-Anak/2020/PN.Enr*.
Law No. 1 of 2023 concerning the Criminal Code (State Gazette of the Republic of Indonesia Year 2023 No. 1).
Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (State Gazette of the Republic of Indonesia Year 2012 No. 153).
Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection (State Gazette of the Republic of Indonesia Year 2014 No. 297).
Marzuki, Peter Mahmud. *Penelitian Hukum*.
Putusan Pengadilan Negeri Enrekang Nomor 03/Pid.Sus-Anak/2020/PN.Enr.
Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak.
Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak.