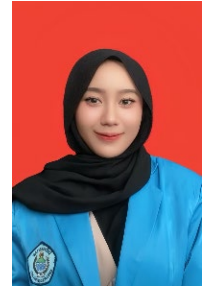




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THE EFFECT OF THE RECOMMENDATIONS OF THE COMMUNITY SUPERVISOR (PK) OF BAPAS GRADE 1 CIREBON ON THE JUDGE'S DECISION IN THE TRIAL OF CHILDREN FACING THE LAW (ABH)

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Abstract

Introduction. Indonesia's juvenile criminal justice system is designed to provide maximum protection for children's rights. Law No. 11/2012 on the Juvenile Criminal Justice System (UU SPPA) emphasizes the importance of the restorative justice approach as the main principle in handling cases of Children Against the Law (ABH). One of the supporting elements for the application of this principle is the recommendations prepared by the Community Supervisor (PK) in the Community Research Report (LITMAS). These recommendations provide a comprehens. **Aims.** The picture of the social, psychological, and family and community conditions in which children grow up, which then become material for the judge's consideration in determining the appropriate treatment. However, in court practice, PK recommendations are not always used as the basis for sentencing. There are disparities in how judges respond and accommodate the assessment results. Based on this, the author aims to analyze the influence of PK recommendations on judges' decisions in ABH trials. This research uses a normative juridical approach with mixed methods (qualitative and quantitative). **Method.** Data was collected from a documentation study of 11 judges' decisions heard in early 2025 until March 24, 2025, and through analysis of the accompanying LITMAS results. **Results.** This research shows that in 8 of the 11 cases, the judges aligned with the LITMAS recommendations (72.7%). Meanwhile, in the other 3 cases, the judges did not fully accommodate the recommendations of the PK, with a percentage of 27.3%. **Conclusion.** This finding shows that, although the PK recommendations significantly influence the majority of decisions, there is still room to improve the consistency and quality of their implementation. Increasing the capacity of PKs, standardizing the preparation of LITMAS, and strengthening communication between PKs and judges are some solutions that enhance the implementation of restorative justice.

Key words: Children Against the Law (ABH), Judges' Decisions, Juvenile Justice System.

INTRODUCTION

A child is an individual who is in the stage of physical, mental, and emotional development before reaching adulthood. In various aspects of the law, children are considered subjects who need special protection due to limitations in thinking, acting, and making decisions. Children have fundamental rights inherent since birth to be fulfilled by their families, communities, and the state, including the right to grow, develop, get an education, legal protection, and live in a safe and prosperous environment. Then, who deserves to be called a child? Based on the provisions of Article 1, Paragraph (1) of Law Number 35 of 2014 concerning Child Protection, a child is a person who is not yet 18 (eighteen) years old, including those who are still in the womb. [1]

Apart from the fundamental rights possessed by a child, the phenomenon of children being involved as perpetrators of criminal acts is a complex problem and requires deep attention from various parties. Based on the Source of the Recapitulation of Complaint Cases in the Child Protection Cluster at the Child Protection Commission (KPAI), it can be seen that the number of children as perpetrators of criminal acts in 2024 will be included in the top 4 groups of the special child protection cluster. Children involved in crime are often influenced by several factors such as economic circumstances, troubled families, or negative influences from the surrounding environment. This is reinforced by data quoted from [2]*detik.com* Regarding the case of increased violence against children presented by DP3APPKB. Therefore, in handling the case of Children Facing the Law (ABH) who play the role of perpetrators, appropriate handling is needed. [3]

Table 1. Data recapitulation of the increase in cases in children in 2024

Special Child Protection Cluster	Sum	Percentage
Child Victims of Sexual Crimes	265	12,9%
Children Victims of Physical and/or Psychological Violence	240	11,7%
Child Victims of Pornography and Cyber Crime	41	2,0%
Children Facing the Law (as Actors)	29	1,4%
Child Victims of Mistreatment and Neglect	27	1,3%
Other Child Protection Cases	25	1,2%
Child Victims of Kidnapping, Sale, and/or Trafficking	17	0,8%
Children are economically and/or sexually exploited	12	0,6%
Children of Stigmatization and Defense Victims	5	0,2%
Children as Witnesses	5	0,2%

Source: PUSDATINKPAI (*update* until 01 January – 31 December 2024)

Indonesia's juvenile criminal justice system is designed to provide legal protection, assistance, and guidance for Children in Conflict with the Law (ABH). Based on Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), the settlement of child cases applied must be based on the principle of [4]*restorative justice* [5]. One of the essential components in the juvenile criminal justice system is the Community Advisor (PK) role under the Correctional Center (Bapas). The role of the PK is considered important in the juvenile criminal justice system, because its main task is to accompany, guide, and supervise the process *from pre-adjudication to adjudication, and also participates* in conducting direct observations of Children Facing the Law (ABH) and the parties involved. The PK is responsible for recommending the most appropriate verdict in handling the ABH case to the judge. These recommendations are not only based on legal facts, but also consider the child's social, psychological, and environmental conditions. The form of recommendation given by PK is a Community Research report (Litmas) with an orientation towards rehabilitation, such as coaching, mentoring, and supervision, without prioritizing repressive actions on children. [6] [7]

Judges have an essential role in the juvenile criminal justice process, especially those appointed under applicable laws and regulations. Each judge has a different understanding of the role and urgency of PK recommendations. Based on the provisions of Article 60 paragraph (3) of Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, the judge is obliged to consider the recommendations of the PK in the results of the litmas before giving a verdict on the case handled. Meanwhile, the benchmark of other judges often focuses more on juridical law and the evidentiary process in the case being handled. This condition causes significant differences in court decisions on similar cases, which can affect the rights and future of children. Meanwhile, when the PK recommendations through the results of litmas are well accommodated in the judge's decision, children can obtain more appropriate penal alternatives such as coaching at the Special Children's Development Institution (LPKA), social rehabilitation, and special coaching and assistance in the community. So that children have a more significant opportunity to improve themselves, avoid criminal associations, get a deterrent effect, and return to being a productive part of society. [5]

The inconsistency in the implementation of the PK recommendations raises several important questions that are used as a problem formulation by the author, including:

1. How does the PK recommendation affect the judge's decision in a juvenile criminal case?
2. How does PK recommendations impact children facing the law (ABH)?

Therefore, the author will discuss the effectiveness of the PK litmus test results on the judge's decision by analyzing the role and impact of the PK recommendation on the juvenile judge's decision and identifying obstacles to implementing the PK recommendations. Observations were carried out at the Cirebon Class 1 Correctional Center (Bapas), with the scope of work in the Cirebon, Indramayu, Majalengka, and Kuningan areas.

METHODS

This study uses a normative juridical method by combining qualitative and quantitative approaches to analyze "The Influence of PK Bapas Recommendations on Judges' Decisions in the Trial of Children Facing the Law (ABH)". The data collection technique is in the form of a literature study from Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law) and Law No. 23 of 2002 jo. Law No. 35 of 2014 concerning Child Protection and related journals. This study examines the relationship between two variables, namely the recommendation of the Community Supervisor as an independent variable and the judge's decision on ABH as a dependent variable. Data processing is carried out by descriptive statistical analysis, which describes facts and observations from the author's perspective. On the other hand, this research is in the form of a case study, collecting data through in-depth interviews and group discussions involving officers of the Cirebon Class 1 Correctional Center (Bapas) to find out the process of preparing and obtaining information on the Community Research report (litmas). Interviews were conducted with two child PKs who were experienced in compiling community research reports. The author also interviewed with the Juvenile Judge at the Class 1B District Court of Cirebon City to explore his views on the relationship and influence of PK recommendations on the verdicts handed down by the judge in court and the impact of the verdict on ABH. In addition, the survey was also conducted to collect quantitative data related to the frequency of consideration of PK recommendations in judges' decisions.

DISCUSSION

Juvenile criminal cases can be processed to trial through procedures regulated in the juvenile criminal justice legal system by prioritizing the rights, interests and independence of children and paying attention to restorative justice. The handling of children involved in criminal acts must prioritize family principles. The approach in question is rehabilitation, guidance, and supervision rather than punishment, which punishes the child psychologically and physically. This is fixated on the long process of child character development and growth. In the juvenile criminal justice system, kinship means handling ABH and prioritizing non-formal or out-of-court settlements. Under PERMA No. 4 of 2014 concerning Guidelines for implementing Diversion in the Juvenile Criminal Justice System. Diversion is an effort to resolve juvenile criminal cases outside the trial by prioritizing mediation between the perpetrator and the victim to reach a peace agreement. This treatment aims to avoid social stigma in children, providing opportunities to improve themselves. The diversion process can only occur when all parties agree on how to handle the case peacefully. Community supervisors, parents/guardians, social workers, and community representatives must accompany this process. However, based on the provisions of Article 2 of PERMA No. 4 of 2014 "Diversion is applied to children who are 12 (twelve) years old but not yet 18 (eighteen) years old or have reached the age of 12 (twelve) years even though they have been married but are not yet 18 (eighteen) years old who are suspected of committing criminal acts." Provisions regarding diversion are regulated in Article 3 of PERMA No. 4 of 2014, which stipulates that diversion only applies to children who commit criminal acts with a maximum penalty of 7 years and are charged with criminal acts that are threatened with imprisonment of 7 years or more in the form of indictments, subsidiary, alternative, cumulative, or combined. However, the case can be submitted to the court if the diversion fails or an agreement is not reached, for example, the case of a 16-year-old child involved in a brawl between groups. While at the crime scene, the child carried a sharp weapon as a form of brawl equipment. In this case, the child is threatened with a criminal sentence of more than 7 (seven) years based on the provisions of Article 2, Paragraph 1 of Emergency Law No. 12 of 1951. Then it was also revealed that the child committed minor abuse of the victim in the brawl, so in this case the prosecutor has the right to file a subsidiary charge with Article 352 of the Criminal Code as an alternative if the main indictment is not legally and convincingly proven. [8] [9] [8] [10]

Efforts to divert between the perpetrator and the victim do not reach a consensus, and the criminal act committed exceeds the threat of punishment of more than 7 years, then the criminal act will be processed in court. Cases that cannot be resolved through diversion can be brought to trial in court to carry out the process [11] *pre* adjudication, adjudication to *post* adjudication.

The Importance of Community Supervisor Recommendations in Litmas Results

Community Counselors (PK) are essential in assisting children facing the law, including conducting social research and providing recommendations that support restorative justice. Community Counselors (PK) guide, accompany, and supervise the juvenile criminal justice process. In addition, PK is also tasked with making a community research report (Litmas) to explore information related to the child's background, family conditions, surrounding environment, and other factors that affect children's behavior. Based on the research results, PK compiled a community research report with recommendations on the best settlement for children. The recommendations contained in the Litmas by the PK are not solely administrative, but have a strategic function as a guideline for judges in ensuring that the juvenile justice process is in line with the principles of child rights protection. The information presented by the PK, including the child's psychological, social, and environmental aspects, is the basis for thorough consideration before the judge makes a decision. Without this report, the case termination process risks being trapped in a normative-legalistic approach that can ignore the needs of child recovery. The Litmas report can be considered a comprehensive reflection of a child's personal and social condition, helping to illustrate whether the child deserves diversion, non-institutional coaching, or other community-based interventions. The recommendations prepared with a fact-based approach and field studies allow judges to understand the humanitarian dimension of the children's case, so that the decisions taken are not only oriented towards retribution, but also on the recovery of the child's future. In addition, the right recommendations from the Criminal Court have great potential to prevent child criminalization, reduce recidivism, and accelerate the process of post-case social reintegration of children. Therefore, the quality of the report and the alignment of the recommendations in Litmas with the principle *of the best interest of the child* are fundamental aspects in realizing restorative justice in the juvenile criminal justice system in Indonesia.

The PK conducts litmas when it receives a request from the investigator or public prosecutor for the case under investigation. Based on an interview with Mr. Chris, a Community Supervisor (PK) at the Cirebon Class I Correctional Center (BAPAS), on March 18, 2025, he explained that:

"When the letter of request for litmas from the police or the public prosecutor enters the Kabapas, then a disposition is made to the Child Client Guidance section and the appointment of a PK to accompany ABH. When the PK receives the disposition of the letter from the Head of Kabapas, 3 days from then is the period of implementation of the litmas. The PK must determine the litmas schedule and prepare an interview questionnaire. There are three methods of data mining by PK: the first is interview, the second is observation, and the third is a documentation or literature study. The results of data processing are analyzed using qualitative methods. Furthermore, the PK prepared a draft list to be discussed in the TPP (Correctional Observer Team) session to recommend a verdict or determination of the child's case. After all members approve the results of the session's TPP trial, the final litmas report is prepared and sent to the requesting agency."

Based on the interview results, the Community Research (Litmas) process by the Community Supervisor (PK) follows a structured procedure. To collect data, PK applies three primary methods, namely:

1. Interview: Conduct direct interaction with Children in Conflict with the Law (ABH), families, and other related parties to find out information about the child's background, psychological condition, and social environment.
2. Observation: Observing children's behavior directly in various environments, such as at home, school, or society to obtain a more accurate picture of children's behavior and social conditions.
3. Documentation or Literature Study: Analyze various documents related to children, such as educational history, health records, and reports from other relevant parties.

The data collected by PK is then processed using a qualitative analysis approach to comprehensively understand the child's condition and needs. The results of this analysis are then compiled into a *draft* litmus that will be presented and discussed in the Correctional Observer Team (TPP) session. The TPP session was attended by the chairman, vice chairman, secretary, deputy secretary, all PK members, and structural officials in the technical field. The purpose of the

TPP hearing is to assess and provide recommendations for decisions or determinations that need to be made in the case of the child. The implementation of the TPP session has been scheduled under the fixed procedures at the Cirebon Class I Bapas, which is held every Tuesday and Friday. If all members of the TPP session agree on the discussion results, the PK will prepare a complete final litmas report. This report is submitted to the applicant agency, be it the Police, the Public Prosecutor, or the Court, for consideration in handling child cases.

The author also interviewed with Mr. Rizky, one of the Child Client PKs at Bapas Class 1 Cirebon on March 18, 2025, to discuss the factors in the preparation of litmas. He explained that there are several aspects including psychological factors such as parenting that is obtained from an early age, juridical factors of the article that is threatened against the ABH criminal case, sociological environmental factors that affect the development of the child's mindset, children's health factors, financial management factors, and the free time that the child gets and has, which is then analyzed for causes and effects. In addition, in the preparation of litmas, there are two RRI (Indonesian Recidivism Risk) assessments, which assess the risk of repetition of criminal acts and a criminogenic instrument assessment, namely, how the child commits a criminal act. The challenge faced by the PK in making the litmas report is the time limit of 3 x 24 hours stipulated in the provisions of the SPPA Law. Although this time limit is aimed at ABH, who was detained during the investigation, this time restriction remains an obstacle in the preparation of the litmas reports with various processes that must be passed.

The results of the litmas conducted by the PK will provide recommendations related to handling or action for ABH under the principles of restorative justice and child protection. This is supported and strengthened by the Taufik philosophy that PK recommendations are the most essential benchmark in determining the punishment judges can give ABH. Here are some forms of the litmas results: [12]

Warning Sentence

This crime is given in the form of an official warning or an educational warning that is conveyed to children to provide awareness of the mistakes committed without the need for physical punishment or punishment that restricts children's freedom. Children who commit minor crimes

are considered to be able to improve their behavior through moral development, which is the target of determining a warning crime.

Conditional Criminal (PiB)

This penalty is given with the provision that the child must meet certain conditions within a predetermined period, with a maximum of 3 years. There are 3 (three) types of conditional crimes: guidance outside the institution, community service, and supervision. General conditions and special conditions determine conditional crimes in court rounds in accordance with the provisions of Article 73 of the SPPA Law. What is meant by the general condition is that the child will not commit a criminal act again while serving a conditional sentence. Then the special condition is that the child must do or be prohibited from doing certain things based on the provisions set by the judge.

Vocational Training

Job training is provided to children with the aim of developing practical skills and knowledge that can be useful in the world of work and directing them to have a better future so that they are far from deviant behavior. This activity can be carried out in training institutions, schools, or communities that have coaching programs that focus on child empowerment and social rehabilitation by paying attention to the child's age.

Coaching on the Board

This coaching is applied to children who commit more serious crimes or are considered to need intensive supervision and coaching at special institutions for children (LPKA). Children are given guidance that includes formal and non-formal education and mental and spiritual development.

Prison

Placement in LPKA is the last action taken if the child is considered unable to be fostered by other methods or has committed a serious crime. However, the coaching approach is also still given to ABH. Children are placed in LPKA with special facilities, and various positive programs are given to ABH.

The Influence of Community Research Results Related to Juvenile Judge's Decisions in Court

The results of Community Research have a major impact on the decisions made by judges in children's cases in court. According to one of the child judges at the Sleman Court, Mrs. Siwi in deciding the case, one of them is by considering the legal facts at the trial and based on the judge's belief in these facts. The age and development of the child are also considered in determining the verdict at the trial. Younger children are usually considered more capable of rehabilitation compared to older children. According to the SPPA Law, children under the age of 18 must be treated in a way that is appropriate to their development [12]. The judge also considered the motive behind the actions carried out by ABH by considering the external factors that affected the child. Not only that, the impact of the actions taken by the perpetrator's child on the victim and the community is also an aspect of the judge's consideration in imposing the verdict.

Based on an interview conducted on March 19, 2025, with a juvenile judge at the Cirebon City Class IB District Court, Mrs. Masrida Wati stated that the PK recommendations in the litmas became the basis for deciding children's cases. Through litmas, PK conducts in-depth research on the child's life background, and PK is considered to know more about the child's condition. Mrs. Masrida Wati also stated that in deciding the children's case, she always follows the results of the recommendations from the PK, which distinguishes only the period in the decision, which is adjusted based on legal considerations and facts in the trial.

A critical factor the judge expresses is that the litmus test helps determine the most appropriate action or sanction. For example, judges are more likely to choose rehabilitative methods over punishment for LPKA if the results show that the child comes from a non-supportive background or has psychological problems. This aligns with the basic principles of child protection, emphasizing the importance of rehabilitation and reintegration into society. The judge also reiterated that Litmas' recommendations often include rehabilitation programs that can help children overcome their behavioral problems. These programs may consist of education, counseling, or community training designed to support the child's positive growth. Therefore, the decision is not only centered on punishment, but also on efforts to prevent violations from happening again. Before that, the Judge also allowed parents/guardians or companions to give the best proposal for their children.

Judges seek to balance justice for victims and protection and rehabilitation for children facing the law whenever they make decisions. By considering the results of litmas as mentioned in article 60 paragraph (3) of the SPPA Law, the judge can make more critical decisions and consider the child's future. In this context, Hakim emphasized the importance of education and training for children. They believe that education is key to preventing children from falling into criminal behavior in the future. Therefore, the decisions taken often include an obligation for the child to attend a relevant educational or skills training program.

The concrete understanding in this study can be seen through the analysis of a sample of cases of Children Facing the Law (ABH) which occurred from the beginning of 2025 to March 24, 2025, in the jurisdiction of the Cirebon Class 1 Correctional Center (Bapas). These cases can provide a clearer picture of the influence of PK recommendations on the judge's decision in the ABH case. This data reflects the pattern of judges' decisions and the extent to which the PK's recommendations are considered in the application of the principle of restorative justice in accordance with the SPPA Law. Here are 11 case samples obtained from Bapas Class 1 Cirebon.

Table 2. Results Of The Initial Litmas Recommendations In 2025 Until March 24, 2025

Criminal Cases	Litmas Recommendations	Consideration
Criminal Acts of Firearms and Sharp Weapons	Conditional Criminal	Age and development of children
Criminal acts of firearms and sharp weapons	Conditional Criminal	Psychological factors of the child
Criminal acts of firearms and sharp weapons	Conditional Criminal	Criminal Acts Are Not Too Serious
Criminal acts of firearms and sharp weapons	Conditional Criminal	Criminal Acts Are Not Too Serious
Criminal acts of firearms and sharp weapons	Conditional Criminal	The existence of rehabilitative programs or alternatives
Criminal acts of firearms and sharp weapons	Conditional Criminal	Desire to avoid social stigma
Criminal acts of firearms and sharp weapons	Conditional Criminal	Restorative justice considerations
Criminal acts of firearms and sharp weapons	Conditional Criminal	Age and development of children
Criminal acts of firearms and sharp weapons	LPKA/ PPSGBK	It is a repetition of a criminal act/recidivism
Criminal acts of firearms and sharp weapons	LPKA/ PPSGBK	It is a repetition of a criminal act/recidivism

Carrying a sharp weapon in Indonesia is regulated in Article 2 of Emergency Law Number 12 of 1951 concerning Criminal Law Regulations. Under this article, a person who carries a sharp weapon without a valid reason or permit can be sentenced to a criminal penalty. If a child carries a sharp weapon and injures another person, the act may be subject to criminal sanctions under the provisions of Indonesian law. Regardless of the child's age, the legal procedures applied will differ from those for adults. If the sharp weapon is used to injure another person, the perpetrator can be sentenced under Article 351 paragraphs (1 and 2) of the Criminal Code. Meanwhile, they can be subject to the same article in the judicial process that will follow the rules of the SPPA Law, which prioritizes coaching and rehabilitation over punishment. The crime of children who carry sharp weapons is processed in court to protect the community and ensure that the child receives proper rehabilitation and coaching.

Community counselors are responsible for ensuring that children involved in crimes receive treatment that suits their needs, especially in rehabilitation and coaching. Therefore, PK suggests placing children in the Children's Special Development Institution (LPKA) or the Center for Child Development, Parenting, and Development (PPSGBK). One of the main goals of community counselors in placing children in LPKA or PPSGBK is to provide education and skills training that is beneficial for their future. The programs in this institution are designed to develop academic abilities, life skills, and moral values that can support children in reintegrating into society after rehabilitation. The community supervisor also recommends conditional punishment. The recommendation of conditional punishment for children is a decision that requires very careful and comprehensive consideration. The judicial process in this case aims to prevent children from falling victim to violence and to teach them about the consequences of their actions. This approach recognizes that children have the potential to change and develop, and that they need a supportive environment to mitigate the negative impacts of their behavior. Proper rehabilitation programs, efficient supervision, and support from families and communities are crucial to ensure the success of the conditional sentence.

Based on data obtained from Bapas Class 1 Cirebon, there are 11 cases of Children Facing the Law (ABH) that have received a verdict from the judge from the beginning of 2025 to March 24, 2025. The majority of the judge's decision is in line with the recommendations given in the Community Research Report (Litmas) prepared by the PK. Of the 11 existing cases, as many as 8 cases show that the judge considered and followed the recommendations of the litmas given by the PK. The verdicts handed down in these cases are mostly in the form of conditional criminal sentences with general conditions and special conditions for community service. This shows that the recommendations of the Criminal Court have a considerable influence in determining the judge's decision, especially in encouraging the application of more restorative and child rehabilitation-oriented criminal punishment. However, there are 3 judges' decisions that are not in line with the recommendations that have been listed in the litmas. This shows that there are inconsistencies in the implementation of the PK recommendations with some judges still using other considerations outside of the recommendations given.

Table 3. The judge's decision is in accordance with 11 cases handled by the 1st grade Bapas of Cirebon

Item No	Juvenile Judge's Decision	Use of LITMAS Recommendations by Judges
1/Pid_Sus-Child/2025/PN_idm	Community Service Conditional Criminal (2 Months 10 Days)	The judge is in line with the recommendations in the LITMAS
3/Pid_Sus-Child/2025/PN_sbr	Other Conditional Criminal Offences	The judge is in line with the recommendations in the LITMAS
4/Pid_Sus-Child/2025/PN_idm	Community Service Conditional Sentence (10 Months 10 Days)	The judge is in line with the recommendations in the LITMAS
5/Pid_Sus-Child/2025/PN_idm	Community Service Conditional Sentence (2 Months 20 Days)	The judge is in line with the recommendations in the LITMAS
5/Pid_Sus-Child/2025/PN_sbr	Other Conditional Crimes Other Community Service (10 Months)	The judge is in line with the recommendations in the LITMAS
6/Pid_Sus-Children/2025/PN_idm	Community Service Conditional Sentence (2 Months 20 Days)	The judge is in line with the recommendations in the LITMAS
9/Pid_Sus-Children/2025/PN_idm	Conditional Criminal Community Service (2 Months)	The judge is in line with the recommendations in the LITMAS
6/Pid_Sus-Child/2025/PN_sbr	Other Conditional Crimes Other Than Conditional Services (8 Months)	The judge is in line with the recommendations in the LITMAS

10/Pid_Sus-Child/2025/PN_id m	Community Service Conditional Criminal (2 Months 10 Days)	The judge is not in line with/does not use the recommendations listed in the LITMAS
10/Pid_Sus-Child/2025/PN_id m	Community Service Conditional Criminal (2 Months 10 Days)	The judge is not in line with/does not use the recommendations listed in the LITMAS
10/Pid_Sus-Child/2025/PN_id m	Community Service Conditional Criminal (2 Months 10 Days)	The judge is not in line with/does not use the recommendations listed in the LITMAS

Source : Archive of data of Bapas Class 1 Cirebon, Source District Court Decisions and Indramayu District Court listed on the website (<https://pn-sumber.go.id/hal-direktori-putusan.pnsumber> and https://sipp.pn-indramayu.go.id/list_perkara)

This inconsistency shows that the judicial system's standards for implementing litmus tests are not fully uniform, and the pattern of law enforcers' case assessments is still not in line. Therefore, the data obtained show that 72.7% of judges' decisions follow the recommendations of the Constitutional Court.

CONCLUSION

The results of observation and analysis from this study show that PK recommendations considerably influence the judge's decision in the ABH case hearing. However, there are still inconsistencies in its implementation, which indicates the need to strengthen the juvenile criminal justice system. The main challenges that must be overcome are the difference in judges' perceptions of the role of PK recommendations and the lack of standard standards in considering litmas results. Here are some strategic steps that need to be implemented so that the PK recommendations can be more optimal in supporting the principles *of restorative justice*:

1. Improving the Quality of Community Research Reports (Litmas)

The results of the litmas are one of the considerations for judges in determining a verdict per the principles of restorative justice. Therefore, comprehensive, objective, and data-based litmas results are needed with several improvements such as standardization in the format and methodology of preparation, training and certification carried out by PKs, strengthening collaboration with psychologists, social workers, and child assistance institutions, as well as periodic evaluations of the effectiveness of litmas in influencing judges' decisions.

2. Strengthening Inter-Institutional Relationships

The effectiveness of PK recommendations in the juvenile criminal justice system does not only depend on judges, but also on good coordination between various related institutions that are also involved in handling ABH cases. Cooperation between fathers, courts, prosecutors' offices, the Ministry of Social Affairs, and child assistance agencies needs to be improved to create a more integrated and rehabilitation-oriented justice system. Better coordination will affect the judge's decision and open up opportunities for ABH to pursue appropriate coaching programs.

Thus, the recommendations prepared by the Community Supervisor are not only a companion administrative document in the judicial process, but also need to be placed as a strategic component that plays a vital role in encouraging the realization of a transformative and rehabilitation-oriented juvenile justice system. Efforts to improve the quality of the substance of Litmas, accompanied by strengthening coordination between law enforcement agencies and social institutions, are the main foothold in building a juvenile criminal justice system that truly implements the principles of restorative justice consistently and comprehensively in Indonesia.

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