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Law Enforcement Formulation on the Execution ... (Lela Tyas Eka Prihatining Cahya & Andri Winjaya Laksana)

Law Enforcement Formulation on the Execution of Child Restitution Decisions in Conflict with Justice-Based Law

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Abstract. The purpose of this study is to analyze law enforcement in the execution of restitution decisions for children in conflict with the law today, identify weaknesses in law enforcement, and find a formulation of law enforcement based on justice. This study uses a sociological legal approach method with analytical descriptive specifications. The data used include primary data obtained directly through interviews and analyzed using legal theory. The results of the study indicate that law enforcement for the execution of restitution decisions for child victims of criminal acts is regulated in the Criminal Procedure Code, Criminal Code, and other related laws. However, its implementation has not been optimal due to the lack of coercive power in the execution of restitution. For example, in the case of Ropi bin Daryo, a 17-year-old child involved in a violent crime, was sentenced to 1 year and 4 months and required to pay restitution of Rp 4,134,000.00 to the victim. This case reveals weaknesses in law and regulation, structural weaknesses, and administrative and bureaucratic weaknesses in the restitution system. A more effective law enforcement formulation is needed to improve the implementation of restitution, including stricter regulations, a greater role for LPSK and law enforcement, and a faster execution mechanism. This reform also needs to be supported by training, socialization, and regular evaluation to ensure fair and effective implementation of restitution.

Keywords: Children; Execution; Formulation; Restitution.

1. Introduction

Legal protection is a fundamental obligation that must be fulfilled by the Indonesian state for its people.¹. Protection of victims arises because of the frequent occurrence of criminal acts, including those involving minors due to

¹CST Kansil, 1989, Introduction to Indonesian Law and Legal System, Balai Pustaka, Jakarta, p, 40.

environmental influences. The Indonesian Constitution guarantees the constitutional rights of citizens in Article 28D Paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which states that "everyone has the right to recognition, guarantees, protection and certainty of fair law and equal treatment before the law.²."

One form of legal protection for victims of crime is the imposition of restitution on the perpetrator. Restitution is compensation based on the principle of Restutio in Integrum, namely the restoration of the victim to the condition before the crime occurred. In Article 1 number 1 of Law No. 31 of 2014 concerning Protection of Witnesses and Victims (UU PSK), the victim or his/her family has the right to receive restitution from the perpetrator or a third party³. However, the Criminal Code has not explicitly regulated legal protection for victims, including the type of restitution. Restitution is often associated with certain crimes such as human trafficking or sexual violence. In cases of child crimes, sentencing must take into account the best interests of the child in accordance with Law No. 11 of 2012 concerning the Juvenile Criminal Justice System. Restitution is part of restorative justice, which provides legal protection for children without ignoring their responsibilities to the victim.⁴.

After the emergence of restitution, a new problem arose regarding the execution of the judge's decision regarding the payment of restitution. According to Kompas.com, LPSK data in 2021 showed that of the total restitution of IDR 3.71 billion decided by the judge, only IDR 279,530,000 was paid by the perpetrator to the victim. Until now, there has been no legal construction that is able to resolve the problems of executing restitution, especially in cases of children. Children under 18 are still under the guardianship of adults, allowing guardians to refuse restitution payments on the grounds of inability or unwillingness. The absence of legal regulations that can force the perpetrator or his family to pay restitution creates a legal vacuum. This is an obstacle for law enforcement officers, especially the Public Prosecutor, in executing restitution. It is important to formulate a solution to overcome this legal vacuum, especially in cases of children.⁵.

Many victims' families do not understand their rights to receive restitution, so they do not file claims or receive amounts that do not correspond to the losses they

²Muladi, 2002, Human Rights, Politics and the Criminal Justice System, Diponegoro University Publishing Agency, Semarang, p, 177.

³Rina Ayu, "Analysis of the Implementation of Child Restitution in the Perspective of Criminal Law," Journal of Legal Reform, Vol. 4, No. 1, July 2023, Sultan Agung Islamic University, p, 45.http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

⁴Dian Kusuma, "Implementation of Restitution in Child Criminal Cases," Journal of Legal Reform, Vol. 3, No. 2, April 2023, Sultan Agung Islamic University, p, 25.http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

⁵Siswanto, 2014, Victimology in the Criminal Justice System, Sinar Grafika, Jakarta, p, 49.

have experienced.⁶. The restitution application process is often complicated and time-consuming, compounded by inefficient bureaucracy and lack of coordination between government agencies. In addition, perpetrators of crimes are often unable to pay the stipulated restitution, resulting in inadequate compensation. Data shows that the issue of restitution for child victims has not improved much from 2020 to 2024, with the percentage of cases receiving restitution increasing only slightly, from 20% in 2020 to 25% in 2024. The amount of restitution provided is also still far from sufficient.

There are many cases where restitution determined by the court has not been realized. In 2020, around 40% of restitution decisions were not implemented by the perpetrators, and this figure only decreased slightly to 35% in 2024, indicating serious problems in the implementation of restitution. For example, in 2021, a 12-year-old girl was a victim of sexual violence, and the court determined restitution of IDR 50 million, but the family only received IDR 10 million. In 2022, a 10-year-old boy who experienced physical violence only received IDR 5 million of the IDR 30 million determined. This problem reflects that the implementation of restitution is still far from adequate, and further efforts are needed to ensure justice for child victims of crime.⁷.

Case example in Marabahan District Court in a child criminal case, with decision number 5/Pid.Sus-Anak/2023/PN Mrh, decided the case of Ropi Bin Daryo, a 17year-old student from Patih Selera. On June 8, 2023, Ropi was found guilty of the crime of sexual violence against children and was sentenced to 1 year and 4 months in prison at the Martapura Special Child Development Institution (LPKA). In addition, Ropi is also required to undergo job training at the Marabahan Job Training Center (BLK). The decision also stipulates restitution of Rp. 4,134,000 which must be paid by Ropi's parents to the victim. This decision reflects a commitment to the principle of justice based on the Almighty God. Based on this description, the author is interested in writing with the title: "Formulation of Law Enforcement Against the Execution of Restitution Decisions for Children in Conflict with the Law Based on Justice". Therefore, the purpose of the research is to analyze law enforcement against the execution of restitution decisions for children in conflict with the law today; to describe the weaknesses of law enforcement against the execution of restitution decisions for children in conflict with the law; to find a formulation of law enforcement against the execution of restitution decisions for children in conflict with the law based on justice.

⁶Ahmad Fauzi, "Child Restitution as a Form of Legal Protection in Cases of Violence Against Children," Journal of Legal Reform, Vol. 2, No. 1, January 2023, Sultan Agung Islamic University, p, 12.http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

⁷Budi Santoso, "Child Restitution Policy in the Juvenile Criminal Justice System," Journal of Legal Reform, Vol. 2, No. 3, October 2022, Sultan Agung Islamic University, p. 33http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

2. Research methods

This study uses a sociological legal approach method, with analytical descriptive research specifications. This method combines legal and sociological aspects to understand the phenomenon being studied comprehensively. The type of data used in this study is primary data, which is obtained directly from the original source through interviews with relevant sources.⁸. The collected data is then analyzed using legal theory to gain a deeper understanding of the issues being studied. This approach allows researchers to dig deeper into how the law is applied in a specific social context, thus providing a more comprehensive insight into the dynamics of law in society.⁹.

3. Results and Discussion

3.1. Law Enforcement Against the Execution of Child Restitution Decisions Conflicting with Current Law

Law enforcement for the execution of restitution decisions for children in conflict with the law currently shows significant challenges. Although restitution for child victims of crime has been regulated in various laws and regulations such as the Criminal Procedure Code, the Criminal Code, and other related laws, its implementation is still far from optimal. The case of Ropi bin Daryo, a 17-year-old child involved in a violent crime, clearly illustrates the obstacles faced in executing restitution. Ropi was sentenced to 1 year and 4 months in prison and was required to pay restitution of Rp 4,134,000.00 to his victim. However, although the restitution submission mechanism is in place, the implementation process is often hampered by various factors.

One of the main obstacles in the implementation of restitution is the lack of legal coercion to execute the decision. In many cases, the perpetrator or his family does not have sufficient financial ability to pay restitution, so the victim does not receive the compensation they should receive. The long and complicated legal process also adds to the delay in the implementation of restitution, which ultimately harms the victim, especially children who are victims of criminal acts. The existing legal system needs to be improved so that the implementation of restitution can be carried out more quickly and effectively, providing proper justice for the victim. ¹⁰.

Law Number 31 of 2014 concerning Protection of Witnesses and Victims has provided a strong legal basis for the implementation of restitution. However, the

⁸Peter Mahmud Marzuki, 2010, Legal Research, Kencana, Jakarta, p. 181

⁹Suharsimi Arikunto, 2002, Research Procedures: A Practical Approach, Rineka Cipta, Jakarta, p, 126.

¹⁰Fitriani, "Legal Protection for Children Through Restitution," Journal of Legal Reform, Vol. 5, No. 1, January 2024, Sultan Agung Islamic University, p. 14. Fitriani, "Legal Protection for Children Through Restitution," Journal of Legal Reform, Vol. 5, No. 1, January 2024, Sultan Agung Islamic University, p, 14. https://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

implementation of this law in the field still experiences various obstacles. One of the problems that often arises is the lack of coordination between institutions involved in the restitution process, such as the police, prosecutors, and courts. In addition, the lack of understanding among law enforcement officers about the importance of restitution for victims, especially children, is also an inhibiting factor in its implementation.¹¹.

Law Number 35 of 2014 concerning Child Protection also pays special attention to children who are victims of crime. In this law, child victims of crime have the right to receive protection and compensation, including restitution. However, the challenge in its implementation is ensuring that these children's rights can truly be realized. Lack of awareness of the community and law enforcement officers regarding children's rights is often an obstacle to realizing effective and timely restitution.

Government Regulation Number 43 of 2017 concerning the Implementation of Restitution for Child Victims of Crime also provides technical guidance on the implementation of restitution for child victims. This regulation establishes clear procedures for the submission and execution of restitution. However, in practice, there are many cases where restitution cannot be implemented because the perpetrator does not have the financial ability or because the legal process is too long and complicated.

Government Regulation Number 35 of 2020 concerning Amendments to Government Regulation Number 7 of 2018 concerning Provision of Compensation, Restitution, and Assistance to Witnesses and Victims provides several important changes aimed at improving the mechanism for providing compensation and restitution. One significant change is the emphasis on protecting the rights of victims, including child victims of criminal acts, by providing easier and faster access to restitution. However, this change has not been fully implemented in the field, considering that there are still many obstacles in the execution process.

Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2022 concerning Procedures for Settlement of Applications and Granting of Restitution and Compensation to Victims of Criminal Acts strengthens the existing legal mechanism by providing more detailed guidelines regarding the procedures for filing and granting restitution. This regulation is expected to accelerate the restitution process, especially for children who are victims of criminal acts. However, the challenge faced is how this regulation can be implemented consistently throughout Indonesia, considering the differences in infrastructure and resources in various regions.

¹¹Siti Aisyah, "Implementation of Child Restitution in Cases of Sexual Violence," Journal of Legal Reform, Vol. 3, No. 4, December 2023, Sultan Agung Islamic University, p, 27. http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

The case of Ropi bin Daryo is a reflection of many other similar cases, where children in conflict with the law must face a protracted restitution process. Although the court decision has determined the amount of restitution, its implementation is often delayed due to various factors, including the lack of awareness and commitment from the relevant parties to enforce the decision. This shows the need for reform in the legal system so that the execution of restitution decisions can be carried out more effectively.¹².

To ensure that the rights of child victims of crime are fulfilled, concrete steps are needed involving various parties. Coordination between law enforcement agencies, the government, and child protection agencies must be improved to ensure that every restitution decision can be implemented immediately. In addition, there needs to be increased awareness among law enforcement officers regarding the importance of restitution as part of recovery for victims, especially children.

The government also needs to provide greater support for the implementation of restitution, including providing reserve funds that can be used to pay restitution when the perpetrator is unable to pay. This is important to ensure that victims, especially children, can immediately receive the compensation they need to recover from the trauma they have experienced. This support will also speed up the restitution execution process, so that justice can be realized immediately. In addition, it is necessary to increase the capacity and understanding among law enforcement officers regarding the laws and regulations governing restitution. Training and socialization regarding the importance of restitution for child victims of crime must continue to be carried out so that law enforcement officers can carry out their duties more effectively and sensitively to the needs of victims.

Monitoring and evaluation mechanisms also need to be strengthened to ensure that the implementation of restitution is in accordance with existing provisions. The government and related institutions must routinely evaluate the restitution process that has been implemented, identify existing obstacles, and find effective solutions to overcome them. Thus, every child who is a victim of a crime can receive restitution quickly and appropriately. On the other hand, the community also needs to be involved in efforts to strengthen the implementation of restitution for child victims of crime. Public awareness of the importance of children's rights and restitution as part of recovery must be increased. Campaigns and public education regarding the rights of child victims of crime and restitution mechanisms can be an effective step to encourage active community participation in supporting the implementation of restitution.

12Yanto Prasetyo, "Child Restitution as a Form of Restoration of Victims' Rights," Journal of Legal Reform, Vol. 4, No. 2, March 2024, Sultan Agung Islamic University, p. 39.http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

With reforms in the law enforcement system, increased coordination between institutions, government support, and community participation, it is hoped that the implementation of restitution for children who are victims of crime can run more effectively and provide them with the justice they deserve. Only then can we ensure that every child who is a victim of crime gets the protection and recovery they need to continue their lives better.

2.1 Weaknesses in Law Enforcement Regarding the Execution of Restitution Decisions for Children in Conflict with the Law

Law enforcement regarding the execution of restitution decisions for children in conflict with the law currently still faces various complex weaknesses. One of the main weaknesses is the weakness in the law and regulations. Although there are various laws governing restitution, such as Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Law Number 31 of 2014 concerning Protection of Witnesses and Victims, and Law Number 35 of 2014 concerning Child Protection, its implementation is still not optimal. Existing regulations are often not strong enough to ensure that restitution is actually given to child victims of crime.

In addition to weaknesses in regulation, structural weaknesses are also a significant factor in law enforcement related to the execution of restitution decisions. The existing justice system often does not have adequate infrastructure to handle child restitution cases effectively. For example, the lack of coordination between institutions involved in the restitution process, such as the police, prosecutors, and courts, results in slow implementation of restitution. These structural weaknesses worsen the situation, especially when the victims are children who need immediate protection and recovery.¹³.

Administrative and bureaucratic weaknesses are also major obstacles in law enforcement against the execution of child restitution decisions. The complicated process and complex bureaucracy often delay or even prevent the execution of restitution. In addition, the lack of trained human resources who understand the complexity of handling child victims of crime also slows down the execution process. This shows the need for administrative reform and simplification of procedures to ensure that the rights of child victims of crime can be fulfilled more quickly.

Social and cultural weaknesses also play a role in hampering law enforcement related to child restitution. In many communities, there is still a view that restitution is not important or urgent. Lack of awareness and understanding of the importance of restitution for child victims of crime results in low social pressure to

¹³Mutiara Rahma, "Legal Study of Child Restitution in the National Legal System," Journal of Legal Reform, Vol. 2, No. 2, May 2022, Sultan Agung Islamic University, p. 18. http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

ensure the implementation of restitution. In addition, cultural norms that view children as parties who must submit to the decisions of adults also often hinder efforts to uphold children's rights, including the right to restitution.

Efforts to improve these weaknesses are urgently needed. One important step is to revise Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. This revision must include affirmation and strengthening of the restitution execution mechanism, by giving greater authority to law enforcement agencies to ensure that restitution decisions are implemented. In addition, existing regulations need to be updated to be more responsive to the needs of child victims of crime.

Law Number 31 of 2014 concerning Protection of Witnesses and Victims also needs to be strengthened to address weaknesses in law enforcement. One way to do this is by improving coordination between institutions involved in the restitution process. Better coordination will ensure that each stage of the restitution process can run more smoothly and efficiently, so that victims can immediately obtain their rights.

Improvements also need to be made to Law Number 35 of 2014 concerning Child Protection, especially in terms of enforcing the rights of children who are victims of crime. This law must include a more effective mechanism to ensure that child victims of crime can receive the restitution they need to recover. In addition, there needs to be increased capacity among law enforcement officers to better handle child restitution cases.

Government Regulation Number 43 of 2017 concerning the Implementation of Restitution for Children Who Are Victims of Crime also needs to be evaluated and improved. This evaluation should focus on identifying obstacles in the implementation of this regulation and finding effective solutions to overcome them. For example, simplifying the restitution application procedure and strengthening the monitoring mechanism for its implementation can be important steps to improve the existing system.¹⁴.

Government Regulation Number 35 of 2020 concerning Amendments to Government Regulation Number 7 of 2018 concerning Provision of Compensation, Restitution, and Assistance to Witnesses and Victims also requires adjustment. This regulation needs to be adjusted to actual conditions in the field, including the challenges faced in implementing restitution for children. This adjustment must

¹⁴Eko Saputra, "Restitution in Criminal Cases of Children: Perspective of Child Protection Law," Journal of Legal Reform, Vol. 5, No. 3, September 2024, Sultan Agung Islamic University, p. 55. http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

include increasing financial and technical support for institutions responsible for implementing restitution.

Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2022 concerning Procedures for Settlement of Applications and Granting of Restitution and Compensation to Victims of Criminal Acts provides detailed guidelines regarding the restitution process, but its implementation still needs to be closely monitored. This regulation must be implemented consistently throughout Indonesia to ensure that the rights of child victims of criminal acts can be fulfilled quickly and appropriately. Stricter supervision of the implementation of this regulation is also needed to prevent deviations.

The government must take concrete steps to address these weaknesses. One step that can be taken is to increase the budget for programs related to child protection, including the implementation of restitution. An adequate budget will allow the government to provide greater support for child victims of crime and ensure that their rights are fulfilled.

In addition, training and capacity building for law enforcement officers must also be a priority. Law enforcement officers must be equipped with adequate knowledge and skills to handle child restitution cases. This training must cover legal, social, and psychological aspects, so that law enforcement officers can carry out their duties more effectively and sensitively to the needs of child victims of crime.

Community participation also needs to be increased in law enforcement efforts against the execution of child restitution decisions. The community must be more active in supporting the implementation of restitution and ensuring that children's rights are fulfilled. Campaigns and socialization regarding the importance of restitution for child victims of crime can help increase public awareness and participation in this effort.

With comprehensive improvement efforts, it is hoped that law enforcement against the execution of child restitution decisions can run more effectively. The weaknesses that exist today must be addressed immediately so that the rights of child victims of crime can be better fulfilled. Only then can we ensure that every child who is a victim of crime gets the protection and recovery they need to continue their lives better.

3.2. Formulation of Law Enforcement Against the Execution of Restitution Decisions for Children in Conflict with the Law Based on Justice

Law enforcement of the execution of restitution decisions for children in conflict with the law is a complex but very important process to ensure justice for child victims. In this context, restitution is a form of compensation given to child victims of crime, which aims to restore the physical, psychological, and material losses

they have experienced. Restitution is not only the responsibility of the perpetrator of the crime, but is also part of the state's efforts to protect the rights of children as victims, as regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and other relevant laws and regulations.

One of the main challenges in implementing restitution is ensuring that court decisions ordering restitution payments are effectively executed. In reality, there are often obstacles in this execution process, both administrative in nature, such as complicated bureaucracy, and from the technical side of implementation, such as the difficulty of collecting funds from perpetrators of criminal acts. Therefore, a formulation of justice-based law enforcement is needed to ensure that the rights of child victims are protected and restitution can be realized in accordance with existing provisions.

Government Regulation Number 43 of 2017 concerning the Implementation of Restitution for Child Victims of Criminal Acts and Government Regulation Number 35 of 2020 provide a clear legal basis for the implementation of restitution. However, the effectiveness of its implementation is highly dependent on good coordination between the various institutions involved, such as the police, prosecutors, courts, and the Witness and Victim Protection Agency (LPSK). It is important for each of these institutions to understand their respective roles and work together synergistically in order to facilitate a timely and targeted restitution process.

In addition, socialization regarding the right to restitution also needs to be improved so that the community, including child victims and their families, better understand the mechanisms available to file restitution claims. This education can be done through various media, including public campaigns, training for law enforcement officers, and the provision of information that is easily accessible to the public. This is in line with the mandate of Law Number 31 of 2014 concerning Protection of Witnesses and Victims, which emphasizes the importance of protection and recovery for victims of criminal acts.

To ensure substantive justice, there needs to be a more humanistic approach in enforcing restitution law. Judges, prosecutors, and other law enforcement officers must consider the overall condition of child victims, including the psychological impact they experience. This approach must be reflected in decisions that focus not only on formal legal aspects but also on the justice felt by the victim.

Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2022 concerning Procedures for Settlement of Applications and Granting of Restitution and Compensation to Victims of Criminal Acts also plays an important role in providing clear guidance for law enforcement officers in handling restitution applications. However, to ensure effective implementation, there needs to be strict supervision and evaluation of the implementation of the regulation. This

evaluation must be carried out periodically to identify obstacles that arise and find the right solutions.¹⁵.

The community also has an important role in supporting the enforcement of restitution laws. By raising awareness of the importance of restitution and the rights of children as victims of crime, the community can contribute to supporting the government's efforts to uphold justice. Active community participation in reporting cases, providing support to victims, and encouraging transparency in the legal process can help overcome the various obstacles faced in enforcing restitution laws. Furthermore, it is important to build the capacity of law enforcement agencies, including service providers for child victims, in handling restitution cases. Specific training on handling child victims and implementing regulations related to restitution should be an integral part of professional development programs for law enforcement officers. Thus, they can work more efficiently and sensitively to the needs of child victims.

One important aspect that must also be considered is the issue of the availability of funds for restitution payments. The government needs to ensure that there is an effective mechanism for collecting and distributing restitution funds, especially in cases where the perpetrator is unable to pay. In this case, the state must be ready to take on the role of the responsible party to ensure that victims continue to receive proper restitution.

Strengthening the role of the Witness and Victim Protection Agency (LPSK) in the restitution process is also very crucial. LPSK not only functions as a mediator between victims and perpetrators, but must also ensure that the restitution process runs smoothly and that victims' rights are fulfilled. This strengthening can be done through increased capacity, adequate budget support, and closer cooperation with related agencies. In addition, there is a need to update and improve existing regulations to be more responsive to developments and the needs of child victims. For example, there needs to be a more flexible mechanism in determining the amount of restitution that reflects the actual losses experienced by the victim, as well as accelerating the process of executing restitution decisions.

In the context of just law enforcement, it is also important to adopt a recoveryoriented approach for victims. Restitution is not only about providing financial compensation, but also includes efforts to restore the psychological and social conditions of child victims. Therefore, support services such as counseling and rehabilitation must be part of the restitution package provided to child victims.

¹⁵Lestari Wulandari, "Effectiveness of Restitution as a Form of Compensation for Child Victims of Crime," Journal of Legal Reform, Vol. 3, No. 1, January 2023, Sultan Agung Islamic University, p. 22.http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

In conclusion, law enforcement for the execution of restitution decisions for children in conflict with the law requires a holistic and justice-based approach. This includes improving regulations, strengthening institutional capacity, community participation, and comprehensive protection for victims. With joint efforts, it is hoped that the rights of child victims of criminal acts can be fulfilled and substantial justice can be realized in every case.

4. Conclusion

Law enforcement for the execution of restitution decisions for children in conflict with the law is currently regulated in the Criminal Procedure Code, the Criminal Code, and other related laws, but its implementation has not been optimal due to the lack of coercive power to execute restitution. The case of Ropi bin Daryo, a 17-year-old child involved in a violent crime, illustrates this challenge. Ropi was sentenced to 1 year and 4 months and was required to pay restitution of Rp 4,134,000 to the victim. Although there is a mechanism for submitting restitution, its implementation is often hampered, and the lengthy legal process exacerbates the delay in restitution. Weaknesses in law enforcement for the execution of restitution decisions for children in conflict with the law include legal, regulatory, structural, administrative, bureaucratic, social, and cultural weaknesses. Reforms are needed to improve the effectiveness of the restitution system, including stricter regulations, a greater role for LPSK and law enforcement, and a faster restitution mechanism. Training, socialization, and routine evaluation are also important to ensure that restitution is implemented properly.

5. References

Journals:

- Ahmad Fauzi, "Restitusi Anak sebagai Bentuk Perlindungan Hukum dalam Kasus Kekerasan Terhadap Anak," *Jurnal Pembaruan Hukum*, Vol. 2, No. 1, January 2023, Universitas Islam Sultan Agung, http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Budi Santoso, "Kebijakan Restitusi Anak dalam Sistem Peradilan Pidana Anak," Jurnal Pembaruan Hukum, Vol. 2, No. 3, October 2022, Universitas Islam Sultan Agung, http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Dian Kusuma, "Implementasi Restitusi dalam Kasus Tindak Pidana Anak," *Jurnal Pembaruan Hukum*, Vol. 3, No. 2, April 2023, Universitas Islam Sultan Agung,
 http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Eko Saputra, "Restitusi dalam Perkara Pidana Anak: Perspektif Hukum Perlindungan Anak," *Jurnal Pembaruan Hukum*, Vol. 5, No. 3, September

- 2024, Universitas Islam Sultan Agung, http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Fitriani, "Perlindungan Hukum terhadap Anak Melalui Restitusi," *Jurnal Pembaruan Hukum*, Vol. 5, No. 1, January 2024, Universitas Islam Sultan Agung,
 http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Lestari Wulandari, "Efektivitas Restitusi sebagai Bentuk Kompensasi bagi Anak Korban Tindak Pidana," *Jurnal Pembaruan Hukum*, Vol. 3, No. 1, January 2023, Universitas Islam Sultan Agung, http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Mutiara Rahma, "Kajian Yuridis Restitusi Anak dalam Sistem Hukum Nasional," Jurnal Pembaruan Hukum, Vol. 2, No. 2, May 2022, Universitas Islam Sultan Agung, http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Rina Ayu, "Analisis Penerapan Restitusi Anak dalam Perspektif Hukum Pidana,"

 Jurnal Pembaruan Hukum, Vol. 4, No. 1, July 2023, Universitas Islam

 Sultan

 Agung

 http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Siti Aisyah, "Penerapan Restitusi Anak dalam Kasus Kekerasan Seksual," *Jurnal Pembaruan Hukum*, Vol. 3, No. 4, December 2023, Universitas Islam Sultan Agung, http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048
- Yanto Prasetyo, "Restitusi Anak sebagai Bentuk Pemulihan Hak Korban," *Jurnal Pembaruan Hukum*, Vol. 4, No. 2, March 2024, Universitas Islam Sultan Agung,
 http://jurnal.unissula.ac.id/index.php/PH/article/download/1364/1048

Books:

- C.S.T Kansil, 1989, *Pengantar Ilmu Hukum dan Tata Hukum Indonesia*, Balai Pustaka, Jakarta.
- Muladi, 2002, Hak Asasi Manusia, Politik dan Sistem Peradilan Pidana, Badan Penerbit Universitas Diponegoro, Semarang.
- Siswanto, 2014, Viktimologi Dalam Sistem Peradilan Pidana, Sinar Grafika, Jakarta.
- Suharsimi Arikunto, 2002, *Prosedur Penelitian Suatu Pendekatan Praktek*, Rineka Cipta, Jakarta.

Legislation:

- Republic of Indonesia Supreme Court Regulation Number 1 of 2022 concerning Procedures for Settlement of Applications and Providing Restitution and Compensation to Victims of Crime,
- Government Regulation Number 35 of 2020 concerning Amendments to Government Regulation Number 7 of 2018 concerning Providing Compensation, Restitution and Assistance to Witnesses and Victims
- Government Regulation Number 43 of 2017 concerning Implementation of Restitution for Children Who Are Victims of Crime;

Law Number 1 of 1946 concerning Criminal Law Regulations (Criminal Law Book);

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System;

Law Number 31 of 2014 concerning Protection of Witnesses and Victims;

Law Number 35 of 2014 concerning Child Protection;