

The Role of Bapas and LPKA in the Social Reintegration of Children of Perpetrators of Criminal Acts Empirical Study in Batam City

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Abstract

As the nation's future generation, children are entitled to grow in a safe and dignified environment, yet many children in Indonesia remain in conflict with the law (ABH), requiring a restorative justice-based approach to guidance. This study aims to analyze the legal protection afforded to ABH during the guidance process at the Special Child Development Institution (LPKA), and to examine the implementation mechanism of guidance at LPKA and mentoring by the Correctional Center (Bapas) in reducing child recidivism in Batam City. This study employs a juridical-empirical method with a qualitative approach, through interviews with LPKA and Bapas Class II Batam officers and a child under guidance. The results show that legal protection for ABH at LPKA is comprehensively regulated under Articles 12 and 13 of Law Number 22 of 2022 on Corrections, and that LPKA's relocation to Bintan Island has improved the fulfillment of guidance facilities. However, the effectiveness of guidance and mentoring remains constrained by limited staff specialization, the absence of formal synergy between LPKA and Bapas, and low family and community support following release. This study recommends strengthening officer competency, establishing formal inter-agency coordination mechanisms, and actively involving families to support children's successful social reintegration.

Keywords: *Social Reintegration, Bapas, LPKA, Children in Conflict with the Law, Child Protection.*

A. Introduction

The phenomenon of Children Facing the Law (ABH) in Indonesia shows increasingly complex dynamics, both in terms of the number and type of criminal acts committed, thus requiring the juvenile criminal justice system to guarantee children's rights while ensuring that the process of social development and reintegration runs well. In practice, ABH is often treated repressively and equated with adult perpetrators, even though its position as a special legal subject requires an approach that prioritizes coaching and rehabilitation rather than punishment solely through restorative justice.¹

¹ Uut Rahayuningsih, "Restorative Justice Approach in the Legal Protection of Children as Perpetrators of Crimes: Balancing Justice and Guidance", Amendment Volume 2, 2025, p. 1.

The enforcement of this approach in Indonesian criminal law emphasizes that case resolution should ideally be oriented towards relationship restoration, not just retaliation, as is also the case for cases involving children.² The restorative justice framework became the paradigm for the reform of juvenile criminal law in Indonesia after the enactment of the SPPA Law, which directed the settlement of children's cases to the restoration of relationships rather than formal punishment.³

A number of studies on Correctional Centers (Bapas) and Special Children's Development Institutions (LPKA) have actually been carried out. However, most of them still focus on normative aspects or simply describe the role of each institution. Studies that specifically look at how the synergy between Bapas and LPKA in the process of social reintegration of Children Facing the Law (ABH), especially based on empirical conditions in certain areas such as Batam City, are still not widely found.

The legal status of ABH varies according to the stages of the process, from investigation to trial, so its handling cannot be equated with that of adults.⁴ This provision is regulated through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law), which replaces Law Number 3 of 1997, and defines ABH as children in conflict with the law, children of victims, and children of witnesses of criminal acts.⁵

One of the institutions that plays a role in the juvenile criminal justice system is the Correctional Center (Bapas), which has a position as a subsystem of corrections based on Law Number 12 of 1995 concerning Corrections and is responsible for accompanying, guiding, and supervising ABH during the Diversion process.⁶ Studies on Bapas have so far largely stopped at normative discussions about their functions and constraints, while research that specifically examines the synergy between Bapas and the Special Children's Development Institution (LPKA) in the social reintegration of ABH based on empirical conditions in certain areas, such as Batam City, is still rare.

Functionally, Bapas acts as the spearhead of guidance and supervision for clients who obtain alternative verdicts, as well as a facilitator of diversion and mediator between children, families, and communities.⁷ Children who have been convicted should ideally not be placed in a Correctional Institution like adults, but fostered in LPKA which is responsible for educating, training skills, fostering personality, and fulfilling children's rights during

² Virginia Garcia, Hari Sutra Disemadi, and Barda Nawawi Arief, "The Enforcement of Restorative Justice in Indonesia Criminal Law," *Legality: Legal Scientific Journal* Volume 28 Number 1, 2020, p. 24.

³ Susana Andi Meyrina, "Restorative Justice in Juvenile Justice Based on Law No. 11 of 2012", *Journal of De Jure Legal Research* Volume 17 Number 1, 2017, p. 92.

⁴ Law Number 8 of 1981 concerning the "Law of Criminal Procedure", Article 1 numbers (14) and (15); Law Number 11 of 2012 concerning the "Juvenile Criminal Justice System".

⁵ Hesti Andriyani, "The Role of Special Children's Development Institutions (LPKA) in the Fulfillment of the Rights of Fostered Children and Recidivism Prevention (Study at LPKA Class II Maros)", Thesis, 2025, p. 2.

⁶ Nabila Rana Widiya, "The Role of the Correctional Center (BAPAS) in the Implementation of the Diversion Program as a Form of Protection for Children (Study at BAPAS Purwokerto)", *S.L.R Vol.2*, 2020, p.2-3.

⁷ Alif Nur Azis, "The Role of Correctional Centers in the Process of Rehabilitation and Reintegration of Children in Conflict with the Law", *Doctrine* Volume 3, 2025.

their criminal sentence.⁸ Bapas and LPKA thus work synergistically from pre-trial to post-criminal, including in the application for parole and the integration of children with society.

Social reintegration is a systematic process of returning ABH to its social function in a productive manner, including psychological recovery, education, life skills, strengthening family relationships, and reducing social stigma. The SPPA Law emphasizes the resolution of children's cases through restorative justice and diversion to minimize traumatic impacts,⁹ while encouraging the formation of an integrated *child criminal court* system so that the handling of ABH is no longer blocked between institutions.¹⁰ Meanwhile, Law Number 22 of 2022 concerning Correctional Services emphasizes social reintegration as one of the main functions of the correctional system.

Fathers play a role through community research, diversion recommendations, as well as mentoring and supervision of children's clients,¹¹ while LPKA focuses on coaching within the institution in the form of formal education, skills training, and character development towards post-liberation social independence.¹² The fulfillment of the right to education for ABH is an integral part of the comprehensive child protection reform.¹³ If social reintegration does not run effectively, for example due to weak family support, skills that are not relevant to work needs, or social stigma that is still strong, children are at risk of experiencing marginalization, difficulty obtaining education and employment, and higher recidivism.¹⁴ Therefore, social reintegration must be carried out from the diversion stage, coaching in institutions, to aftercare.

Throughout the period 2019 to mid-2025, Batam City showed a fluctuating trend with a tendency to increase the number of reports of cases of violence and child protection, especially since 2022, as illustrated in Table 1.1.

Table 1.1 Trends in Cases of Violence Against Children in Batam City

⁸ Jumi Adela Wardiansyah, "The Role of Special Children's Development Institutions (LPKA) in Children's Career Development", *Al-Israq: Journal of Islamic Guidance, Counseling, and Counseling* Vol. 5, p. 31.

⁹ Ferian, "Socialization of Law 11 TH. 2012 concerning the Juvenile Criminal Justice System related to the Rehabilitation and Social Reintegration of Children Facing the Law: in the City of Yogyakarta", Article, 2021.

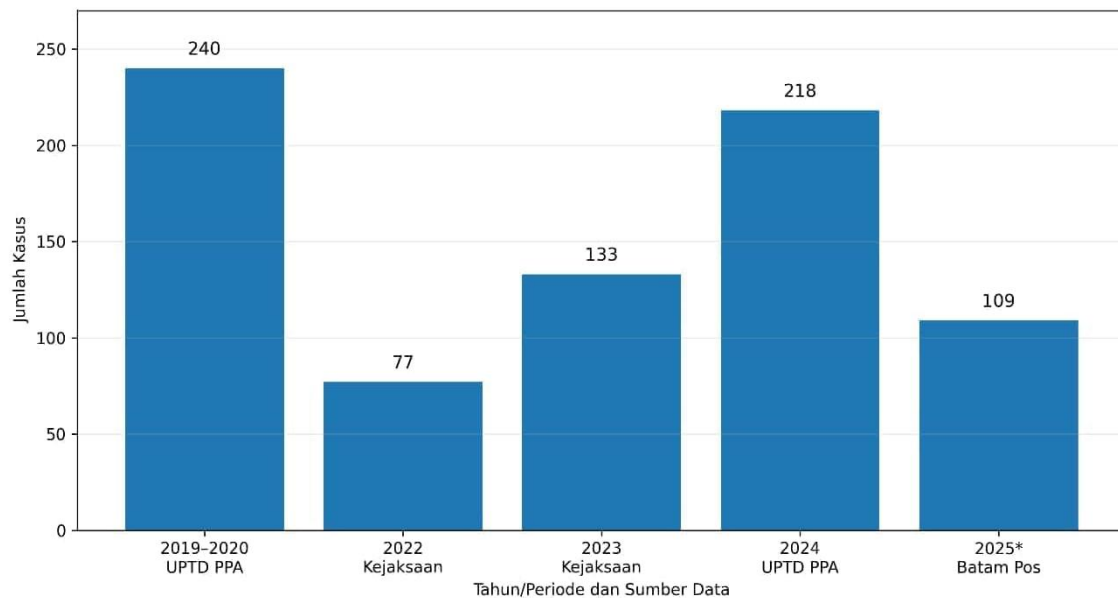
¹⁰ Hafrida, "Restorative Justice in Juvenile Justice to Formulate Integrated Child Criminal Court," *Journal of Law and Justice* 8, no. 3 (2019): p. 451

¹¹ Ryan Setya Nugroho, "The Role of Correctional Guidance and Correctional Groups (POKMALIPAS) in Realizing the Social Reintegration Program for Correctional Clients at BAPAS Class II Magelang", *Undiksha* Vol. 10 No. 2, 2022.

¹² Muhammad Omar Afdalaziz, "The Role of Special Children's Development Institutions (LPKA) in Empowering Former Prison Students", *JISHS* Vol. 2 No. 4, 2024.

¹³ Shenti Agustini, Emiliya Febriyani, and Autia Kurnia Putri Hapsari, "Reforming Child Protection Laws to Secure the Right to Education for Rape Victims," *Yustisia Tirtayasa: Journal of Final Project* Volume 4 Number 3, 2024, p. 21.

¹⁴ Tubagus Haekal Er Ghifari, "The Role of Community Guidance in Seeking Alternative Punishment in the Case of Children in Conflict with the Law in Bapas Class I Serang", *Al-Zayn* Vol. 3 No. 4, 2025.



Source: UPTD PPA Batam (2024), Batam District Attorney's Office (2023), and Batam Pos (2025)

Around 240 cases of violence against children were reported in 2019–2020, with sexual and psychological violence being the most common types, while UPTD PPA Batam recorded 218 cases in 2024, including around 150 cases of sexual violence.¹⁵ In terms of law enforcement, the Batam District Attorney's Office recorded an increase from 77 cases of child protection in 2022 to 133 cases in 2023,¹⁶ while in early 2025 reports of violence against children had reached 109 cases by the middle of the year, the majority of which were sexual violence.¹⁷

A similar pattern is also reflected in the case of children who commit sexual intercourse crimes in Batam City, which shows a low understanding of children on the legal consequences of their actions so that strengthening coaching is crucial.¹⁸ Although specific ABH data is not published completely every year, this pattern indicates that the problem of ABH in Batam is not only increasing in terms of the number of reports, but also increasingly diverse, in line with the demand to strengthen the implementation of child protection standards at the ASEAN level into national law.¹⁹

This research is expected to make an academic contribution to the development of juvenile criminal law and corrections, as well as practical recommendations for law enforcement officials, Bapas, and LPKA in improving the pattern of fostering and social

¹⁵ Antaranews, "UPTD PPA Batam Records 218 Cases of Violence Against Children throughout 2024", 2024.

¹⁶ Ulasan.Co, "Kejari Batam handles 1,012 cases throughout 2023, dominated by Theft and Child Protection Cases", 2023.

¹⁷ Batampos, "Throughout 2025, Cases of Violence Against Women and Children in Batam Reach 141 Cases", 2025

¹⁸ Try Yudha Sembiring, Junimart Girsang, and Rina Shahriyani Shahrullah, "The Effectiveness of the Presumptio Iures De Iure Principle for Child Perpetrators of Intercourse with Persuasion in Batam City," *Legal Spirit* Volume 7 Number 1, 2023, p. 112.

¹⁹ Abdurrahman Alhakim and Mimi Sintia Mohd Bajury, "Assessing the Implementation of ACTIP in Combating Child Trafficking: A Comparative Study of Indonesia, Malaysia, and Vietnam," *Politica: Journal of Constitutional Law and Islamic Politics* Volume 13 Number 1, 2026, p. 81

reintegration of ABH in Batam. In terms of policy, this research is expected to be a reference for the formulation of more effective strategies at the local and national levels, as well as socially encourage the readiness of the community to accept ABH again without negative stigma to reduce the risk of recidivism. This research aims to analyze the role of Bapas in the social reintegration of ABH in Batam City, examine the role of LPKA in preparing ABH to return to the community productively, and examine the synergies and factors that inhibit and support the effectiveness of the reintegration process.

B. Research Methods

This research is classified as an applied law study that combines primary data and secondary data to obtain an accurate picture of legal practice in the field.²⁰ Primary data was obtained through interviews and direct observation of the implementation of child assistance and coaching by Batam Bapas and LPKA Class II officers. Secondary data consisted of Primary Legal Materials in the form of Article 28B paragraph (2) of the 1945 Constitution, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Law Number 12 of 1995, and Law Number 22 of 2022 concerning Corrections; Secondary Legal Materials in the form of books, scientific articles, and interview results; and Tertiary Legal Materials in the form of Legal Dictionary and Large Indonesian Dictionary (KBBI). The data was analyzed qualitatively based on the Legal Effectiveness Theory, through the preparation of data collected in a structured manner to obtain research conclusions.

C. Results and Discussion

1. Legal Protection Arrangements Provided to ABH during the Coaching Process at LPKA

Legal protection of Children in Conflict with the Law (ABH) is an integral part of the juvenile criminal justice system that is oriented towards fulfilling children's rights. ABH itself refers to children in conflict with the law, children of victims, and children who are witnesses to criminal acts as stipulated in Article 1 number 2 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law). This concept emphasizes that children as legal subjects have special characteristics so that they require different treatment compared to adults, especially in terms of protection and coaching.²¹

Meanwhile, the Special Child Development Institution (LPKA) is an institution specifically formed to carry out coaching for children who commit crimes. LPKA not only functions as a place to serve crimes, but also as a means of education, skills training, and

²⁰ Sidi Ahyar Wiraguna, "Exploration of Legal Research Methods with Normative and Empirical Approaches in Legal Research in Indonesia", Lex Jurnalica, 2025, p. 68.

²¹ Anshori, "Practice Patterns of Solving Child Crimes in Lamongan in the Perspective of Restorative Justice: A Case Study of Children Facing the Law in Lamongan", Al-Jinayah: Journal of Islamic Criminal Law 6.2 (2020), p. 344-368.

mental and social development for children.²² Thus, legal protection in LPKA is not only repressive, but also emphasizes rehabilitative and educational approaches.

Legal protection can be understood as any effort to ensure the fulfillment of individual rights in accordance with the provisions of the law. For ABH, legal protection includes the right to humane treatment, education, health, and protection from violence and discrimination during coaching.²³ This protection must not stop at the substantive aspect, but must also reach the procedural aspect, considering that recent studies show that the legal framework of the juvenile justice in Indonesia is still weak in ensuring access to case information and children's privacy.²⁴ Therefore, the legal protection of LPKA must guarantee the rights of children both substantively and procedurally, as well as prepare for their social reintegration.

Legal protection of ABH in LPKA has a legal basis that is tiered in the hierarchy of laws and regulations in Indonesia. At the constitutional level, Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia affirms "that every child has the right to survival, growth, and development and the right to protection from violence and discrimination". This constitutional provision is the philosophical basis that every child development policy, including in the LPKA, must be oriented towards the protection of children's human rights.²⁵

These constitutional provisions are further described in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law). Article 3 of the SPPA Law emphasizes that every child in the criminal justice process has the right to be treated humanely, separated from adults, receive education, and not be subjected to torture or degrading treatment, which is strengthened by Article 85 which states that the implementation of criminal crimes for children is carried out at LPKA with regard to the best interests of the child.

However, the most comprehensive and specific regulation governing legal protection for fostered children in LPKA is contained in Law Number 22 of 2022 concerning Corrections, which replaces Law Number 12 of 1995 concerning Corrections. This Law not only strengthens the concept of social reintegration as a substitute for the paradigm of retribution and deterrence, but also strengthens the concept of restorative justice which is the spirit of the Children's Criminal Justice System.²⁶ Thus, the study of legal protection for ABH in LPKA should rely primarily on Law Number 22 of 2022, especially Article 12 and Article 13, as the most relevant and up-to-date legal instruments.

²² Uut Rahayuningsih, Anna Nur Hikmah, and Siti Nurcahyati, "Restorative Justice Approach in the Legal Protection of Children as Perpetrators of Crimes: Balancing Justice and Coaching", Amendment: Journal of Indonesian Defense, Political and Legal Sciences 2.2 (2025), p. 79-89.

²³ Hesti Andriyani, et al, "Determinant Factors That Cause Recidivism in LPKA Class II Maros", JOURNAL RECTUM: Juridical Review of Handling Crime 7.2 (2025), p. 325-330.

²⁴ Abdurrakhman Alhakim, dkk., "Revisiting Indonesian Legal Framework for Juvenile Justice: Ensuring Procedural Rights for Assault Offenders," *International Journal of Law Reconstruction* Volume 8 Nomor 1, 2024, hlm. 56.

²⁵ H. Makhrus Munajat, and S. H. M. Hum, "Children's Criminal Law in Indonesia", Sinar Grafika, 2023.

²⁶ Law Number 22 of 2022 concerning Corrections, General Explanation.

Article 12 of Law Number 22 of 2022 stipulates that Children and Fostered Children are entitled to a number of basic rights that include four groups: the right to spiritual and physical needs (worship, physical and spiritual care, health, and proper food), the right to self-development (education and recreational activities), the right to access justice and information (legal counseling, legal aid, and complaints), and the right to humane treatment (protection from violence and the right to receive family visits).²⁷ These rights are basic rights, so that fostered children are placed not as objects of punishment, but as legal subjects whose rights must be fulfilled.

Furthermore, Article 13 of Law Number 22 of 2022 regulates additional progressive rights, namely rights that can only be obtained by fostered children after meeting certain conditions (behaving well, actively participating in coaching, and showing a reduction in risk levels), in the form of reducing their criminal term, assimilation, various forms of leave, and parole.²⁸ Conditional leave is the coaching of fostered children with short sentences outside the LPKA, while parole is coaching outside the LPKA to reintegrate the child with the family before the end of their sentence. The provisions of Article 12 and Article 13 together form a comprehensive legal protection framework, as well as open a gradual path to social reintegration, so that the LPKA is not just a place of detention, but part of a system that directs fostered children back to society in a measurable manner. The implementation of the right to leave and parole further involves the role of the Father in assisting and supervising the fostered children, as described in the next section.

Technically, the implementation of coaching at LPKA is also regulated in Government Regulation Number 31 of 1999 concerning the Development and Guidance of Correctional Assisted Citizens and other derivative regulations, which affirm that coaching includes aspects of personality and independence, aiming to form positive behavior and skills of children.²⁹

Based on the results of empirical research, LPKA Class II Batam has generally implemented the provisions of Article 12 and Article 13 of Law Number 22 of 2022 quite well, especially after the location of LPKA was moved from Batam Island to Bintan Island. The move makes the LPKA building no longer in the same complex as the Batam Women's Correctional Institution (LPP), so that child development activities can be carried out more focused and independently, without being mixed with adult assisted living activities. This condition directly supports the fulfillment of the rights of assisted children as stipulated in Article 12, especially in the aspects of education, recreational activities, and protection from the influence of the adult assisted environment which is psychologically and socially less suitable for the growth and development of children.³⁰

²⁷ Law Number 22 of 2022 concerning Corrections, Article 12.

²⁸ Law Number 22 of 2022 concerning Corrections, Article 13.

²⁹ Yuniarta Lasriado Siahaan, and Muh Jufri Ahmad, "Analysis of the Protection of the Rights of Women Prisoners in Correctional Institutions from a Human Rights Perspective", COURT REVIEW: Journal of Legal Research (e-ISSN: 2776-1916) 5.06 (2025), p. 137-153.

³⁰ Interview with Mr. Arpiyanto, Head of the Development Section of the Batam Class II Special Child Development Institution (LPKA).

The results of research in the field show that the law enforcement factors at LPKA Class II Batam, especially in terms of the number and competence of coaching officers who handle inmates, have generally been adequately met. Coaching officers are considered to have carried out coaching duties in accordance with the established standards and procedures, so that the human resource aspect within LPKA is no longer an obstacle in the implementation of legal protection for ABH.³¹

The main obstacle that LPKA Class II Batam still faces in fulfilling the elements of the Legal Effectiveness Theory lies in external social environmental factors, namely stigma from the community and low family involvement, especially parents or guardians of assisted children. Some parents or guardians show reluctance or embarrassment to be actively involved in accompanying children during coaching at LPKA, thereby weakening one of the important elements in the success of coaching, namely family support as the first social environment for children.³² This condition is in line with the findings that societal stigma towards children assisted by correctional institutions is often an obstacle to the success of social reintegration, regardless of how good the guidance received by children in the institution.³³ In fact, the active involvement of parents or guardians is an important prerequisite for the success of post-development children's social reintegration, and a number of empirical studies show that foster children who receive family support consistently show better motivation, behavior, and adaptability than children who do not receive such support,³⁴ because they will be the main social environment in which children return after serving their sentences.

This condition is different from the findings in a number of other LPKAs, which show that the constraints of coaching facilities are still the main problem. Research at LPKA Class II Bandar Lampung found that legal protection for fostered children has not been optimal due to limited human resources, coaching facilities, and access to education and skills training.³⁵ Another study noted that only 86 children (45.5%) were able to participate in formal education, while another 103 children (54.5%) could not participate due to administrative and facility limitations.³⁶ A similar condition was found in LPKA Class I Blitar, which faced structural obstacles in the form of limited facilities

³¹ Interview with Mr. Arpiyanto, Head, Development Section of the Batam Class II Special Children's Development Institution (LPKA).

³² Interview with Mr. Arpiyanto, Head of the Development Section of the Batam Class II Special Child Development Institution (LPKA).

³³ N. A. W. Febriatmoko and M. Subroto, "Community Stigma of Children Undergoing Coaching in Special Children's Correctional Institutions," *Journal of Intellectualita: Islam, Social and Science* 12, no. 2 (2023), p. 168.

³⁴ Mastina Letsoin, et al., "The Impact of Family Involvement in the Rehabilitation of Children in Conflict with Hkum in West Papua Child Development Institutions," *Lex Harmonia: Journal of Legal* 1, no. 1 (2026): p. 49.

³⁵ Amanda Agnelisa, et al., "Child Protection-Based Assisted Child Development: An Empirical Juridical Study at the Special Child Development Institution for Class II Bandar Lampung", *Journal of Law and Social Change Review* 1.01 (2026).

³⁶ Cici Dian Purnamasari, et al., "Optimizing the Fulfillment of Educational Rights and Character Development of Children in Conflict with the Law: A Case Study of LPKA Class II Bandar Lampung", *Journal of Social Humanities and Education: Scripta Humanika*, (2025).

and teaching staff.³⁷ This comparison shows that the achievement of LPKA Class II Batam after relocation to Bintan Island is relatively better, so that the direction of improvement in the future can be focused on strengthening community legal awareness and the involvement of parents or guardians.

The analysis of legal protection for ABH in LPKA can be strengthened using the Legal Effectiveness Theory from Soerjono Soekanto, which states that legal effectiveness is determined by five factors: regulations, law enforcement, facilities and infrastructure, society, and legal culture.³⁸ In LPKA Class II Batam, legal factors have been comprehensively fulfilled through Articles 12 and 13 of Law Number 22 of 2022; facilities and infrastructure factors are relatively fulfilled following the relocation to Bintan Island which separates the child development building from the Batam LPP complex; and law enforcement factors are also fulfilled in terms of the number of officers, although in terms of competence it still requires strengthening specializations in the fields of education, religion, and child psychology. Thus, these three elements have been well met, although the law enforcement element still needs to strengthen quality.³⁹

The remaining obstacles lie in the factors of society and legal culture. Negative stigma against children of criminal offenders, including from the family and guardians themselves, often hinders social reintegration, so legal protection must continue with social acceptance in society.⁴⁰ Sahardjo's Correctional Theory emphasizes that the purpose of punishment is coaching, not retribution.⁴¹ This consistency of rehabilitative orientation should be maintained even in emergency situations, as shown by studies that highlight that the Indonesian government continues to maintain child protection during the Covid-19 pandemic, proving that child protection is a structural commitment, not a situational policy.⁴²

Legal protection in LPKA must be directed at efforts to rehabilitate and reintegrate children. Therefore, every policy and coaching program at LPKA must be oriented towards developing children's potential so that they can return to becoming productive members of society. By referring to these two theories, it can be concluded that legal protection for ABH in LPKA does not only depend on the existence of

³⁷ Salma Sekar Anami, et al., "Implementation of the Fulfillment of the Educational Rights of Fostered Children at the Class I Blitar Special Children's Development Institution", *Journal of Mental Health and Social Rehabilitation*, (2025).

³⁸ Soerjono Soekanto, "Factors Affecting Law Enforcement", (Jakarta: Raja Grafindo Persada, 2011), p. 8.

³⁹ Interview with Mr. Arpiyanto, Head of the Development Section of the Batam Class II Special Child Development Institution (LPKA).

⁴⁰ Andri Triwijaya, Muh Nasir, and Husni Tamrin, "The Effectiveness of Law Enforcement Against Children of Narcotics Abuse at the Investigation Stage in the Jurisdiction of the Musi Banyuasin Police", *Journal of Health Law* 1.2 (2025), p. 44-65.

⁴¹ Ismail Rumadan, "The Problem of Correctional Institutions in Indonesia and the Reorientation of Criminal Objectives", *Journal of Law and Justice* 2.2 (2013), p. 263-276.

⁴² Ikhsan, Hari Sutra Disemadi, Syukri Kurniawan, and Pujiyono, "Child Protection Efforts in Criminal Justice in the Era of the Implementation of the "New Normal" During the Covid-19 Pandemic in Indonesia," *Journal of Law* Volume 9 Number 2, 2020, p. 225.

regulations, but also on the effectiveness of implementation and alignment with the goals of correctional services.⁴³

Based on this analysis, it can be concluded that the legal protection arrangements for Children in Conflict with the Law (ABH) during the coaching process at LPKA have a strong and tiered legal basis, starting from Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia at the constitutional level, Law Number 11 of 2012 concerning the Child Criminal Justice System, to the most detailed regulation in Article 12 and Article 13 of Law Number 22 of 2022 concerning Correctional Services as the main legal instruments. This provision emphasizes that fostered children must be treated humanely, receive education and coaching, and be protected from all forms of violence and discrimination.

Empirical findings in LPKA Class II Batam show that the most decisive obstacle now lies in the external social environment, namely community stigma and low family involvement, no longer limited by legal factors or physical means of coaching, although from the law enforcement side it is still necessary to strengthen the specialization of officer competencies. Therefore, future strengthening needs to be directed at education and changing the social paradigm of the community, as well as strengthening the role of parents or guardians, so that legal protection for ABH can be realized optimally.

2. Mechanism for the Implementation of Coaching at LPKA and Assistance at Bapas in Reducing the Rate of Child Recidivism in Batam City

Normatively, the Special Children's Development Institution (LPKA) and the Correctional Center (Bapas) are two agencies that have an important role in the Juvenile Criminal Justice System. Both aim to support the rehabilitation and social reintegration of Children Facing the Law (ABH), but have different duties and authorities. LPKA focuses on the implementation of coaching for children who have obtained a court decision with permanent legal force (*inkracht*), while Bapas plays a role in conducting community research, mentoring, guidance, and supervision of children from the judicial process to post-release.⁴⁴ The role of Bapas in this framework is in line with the orientation of restorative justice in the Children's Criminal Justice System, where Bapas does not only function administratively, but becomes the main driver of the process of restoring relationships between children, victims, and the community.⁴⁵

Based on the results of the interview with the Bapas Class II Batam Community Supervisor, the two institutions basically carry out their respective duties and functions in accordance with the authority regulated in laws and regulations, without being bound by a standard formal collaboration mechanism. LPKA rehabilitates children who have been sentenced and undergoes a recovery period, while Bapas concentrates on assisting

⁴³ Selvi Ayu Permatasari, et al, "From Offender to Student: Reorientation of Legal Protection for Children in the Criminal Justice System", Al-Zayn: Journal of Social and Legal Sciences 3.2 (2025), p. 369-381.

⁴⁴ Law Number 11 of 2012 concerning the Juvenile Criminal Justice System; Law Number 22 of 2022 concerning Corrections.

⁴⁵ Dewi Sartika, Fatahullah, and Lalu Adnan Ibrahim, "The Role of Fathers in the Implementation of the Restorative Justice-Based Juvenile Criminal Justice System," Journal of Legal Compilation 6, no. 1 (2021), p. 108.

children during the legal process as well as guidance after the child obtains conditional permission or other reintegration rights.⁴⁶

However, the results of interviews with LPKA Class II Batam officers show that coordination between the two institutions continues in certain cases. For example, when a fostered child will obtain parole, LPKA will coordinate with Bapas regarding the process, and LPKA also asks for input or suggestions from Bapas regarding the handling of certain fostered children.⁴⁷ Thus, coordination between LPKA and Bapas in Batam City is currently still taking place in a casuistic manner and has not been outlined in a standard mechanism or procedure that regulates the systematic division of roles and exchange of information between the two institutions.

The assistance mechanism by Bapas begins from the first time the child is confronted with the law. After the child is secured by the police and placed at the Police Station or Police, the Community Supervisor from Bapas will carry out community research (litmas) and compile a report that serves as a reference for law enforcement officials in handling children's cases. This Litmas is also a key instrument for the Community Supervisor in seeking diversion, so that the resolution of children's cases can be directed to mechanisms outside the formal judicial process as early as possible.⁴⁸ Throughout the legal process, Bapas always accompanies the child with lawyers and parents or guardians at every stage of the investigation up to the court.⁴⁹ The existence of a Community Counselor in the process is a form of legal protection for children to ensure that their rights are still fulfilled during the criminal justice process.⁵⁰ The effectiveness of the role of Community Counselors in this context has been proven to contribute to suppressing the potential for children to return to face the law, as found in the application of restorative justice to children who commit criminal acts in a number of other fathers in Indonesia.⁵¹

After the child obtains a court decision with permanent legal force and is sentenced to a criminal sentence, the implementation of coaching is fully under the authority of LPKA. Based on the results of interviews with LPKA Class II Batam coaching officers, coaching for fostered children is carried out in two main forms, namely personality development and independence coaching.⁵² Personality development is manifested, among others, through religious activities, such as recitation for Muslim

⁴⁶ Interview with Mr. Heri Fadrianto, Community Guidance of the Batam Class II Correctional Center.

⁴⁷ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

⁴⁸ A. Gani and Fitriati, "The Role of Community Counselors in the Implementation of Diversion in the Settlement of Crimes of Persecution with Child Perpetrators," *Ekasakti Legal Science Journal* 2, no. 4 (2025): p. 314.

⁴⁹ Interview with Mr. Heri Fadrianto, Community Guidance of the Batam Class II Correctional Center.

⁵⁰ Nabila Rana Widiya, "The Role of the Correctional Center (BAPAS) in the Implementation of the Diversion Program as a Form of Protection for Children (Study at BAPAS Purwokerto)", *S.L.R Vol.2*, 2020

⁵¹ Harliyanti, Ruslan Renggong, and Abd. Haris Hamid, "The Effectiveness of the Role of Community Counselors in the Implementation of Restorative Justice for Children of Criminal Offenders at the Makassar Class I Correctional Center," *Indonesian Journal of Legality of Law* 2, no. 2 (2021): p. 90

⁵² Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

fostered children held in collaboration with the Office of the Ministry of Religion of Bintan Regency, as well as spiritual activities for Christian fostered children in collaboration with the church, both of which routinely send speakers to fill in spiritual coaching activities at LPKA. Meanwhile, the development of independence is realized through sports activities that are carried out routinely every morning and evening, scouting activities which are currently still in the pilot stage of cooperation, as well as practical skills training such as gardening, hydroponics, and simple animal husbandry, although the implementation is still limited considering that LPKA Class II Batam is only operating at its current location.

The findings were also confirmed through an interview with a fostered child who had previously also undergone coaching at LPKA when he was still located on Batam Island. He stated that the type of coaching activities in both locations was relatively the same, but he felt more comfortable at LPKA located in Bintan, especially because of the completeness of sports facilities that were previously inadequate in Batam.⁵³ He also said that coaching provided real changes, such as improving literacy and sewing skills through independence coaching, while still being able to continue formal education through the equality program even though he had dropped out of school.⁵⁴ He was also relatively calm, not overwhelmed by excessive concerns about social acceptance in the future. Although these findings came from one source and cannot be generalized, this testimony indicates that the improvement of post-relocation facilities also contributes to the psychological comfort of the fostered children.

In fulfilling the right to education, inmates who have dropped out of school are facilitated to participate in Package A, Package B, and Package C equality education through collaboration with the Batam Learning Activity Center (SKB) and SKB Bintan.⁵⁵ This policy is based on the fact that most of the children who undergo coaching at LPKA have resigned from their home school before undergoing legal proceedings, so that the fulfillment of the right to education is directed through the equality education pathway so that the right to education is still fulfilled while the child undergoes coaching. In addition to education, the right to health is fulfilled through the clinical services available at LPKA, which provide basic medical help while equipping the fostered children with simple health skills, such as blood pressure checks, under the guidance of clinic officers.⁵⁶

Preparations for social reintegration are carried out from the beginning of the child's entry into LPKA through an assessment of interests, talents, and personalities, which is the basis for directing the coaching program according to the child's potential,

⁵³ Interview with the Fostered Child (identity kept confidential according to the principle of child protection in conflict with the law), Batam Class II Special Child Development Institution (LPKA).

⁵⁴ Interview with the Fostered Child (identity kept confidential according to the principle of child protection in conflict with the law), Batam Class II Special Child Development Institution (LPKA).

⁵⁵ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

⁵⁶ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

so that the child has the provision of skills to be accepted back by the community.⁵⁷ For Muslim fostered children, LPKA implements a pocket book "Ibadah Amaliyah" which contains worship achievements such as memorization of prayer readings and ablution procedures, fulfilled in stages through a deposit mechanism before the child is declared ready to be free.⁵⁸ Thus, LPKA coaching is not only oriented towards the formalities of the criminal period, but also the readiness of children to return to society.

The post-release supervision mechanism depends on the type of release. In parole, the fostered child is required to report periodically to the father, while the authority of the LPKA ends when the child leaves the institution.⁵⁹ In pure release, the responsibility for supervision fully shifts to the parents or guardians, who are obliged to pick up the fostered child; if they are unable to do so, the LPKA coordinates with the Social Service.⁶⁰ For fostered children whose whereabouts are unknown or have the status of abandoned children, the handover is carried out to the Social Service in accordance with the provisions that stipulate abandoned children as the responsibility of the state.⁶¹

In order to maintain the order of coaching, LPKA also implements an internal discipline mechanism for fostered children who violate the rules, such as fighting or bullying among fellow fostered children. The sanctions applied are in the form of temporary placement in a separate room for approximately two weeks, accompanied by a ban on receiving visits and a ban on participating in coaching activities during the sanction period.⁶² This mechanism is intended as a form of deterrent effect as well as a means of reflection for fostered children, without eliminating the basic rights of fostered children to the coaching itself.

⁵⁷ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

⁵⁸ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

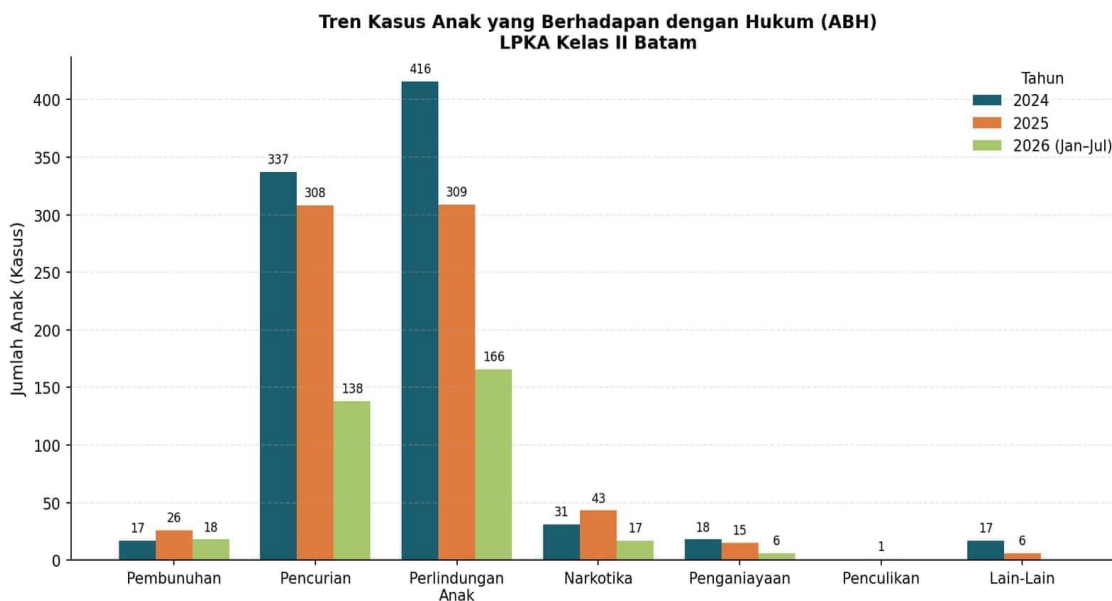
⁵⁹ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

⁶⁰ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

⁶¹ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

⁶² Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

Table 2.1 Data on Children in Conflict with the Law (ABH)
Special Children's Development Institution (LPKA) Class II Batam



Source: Observation Results at LPKA Class II Batam (2026)

Based on data from LPKA Class II Batam for the period 2024 to July 2026, cases related to Child Protection and Theft are the two categories with the highest number of fostered children in each observation year, in line with the pattern also found in the Batam Class II Bapas data.⁶³ The graph also shows a tendency to decrease the number of fostered children in 2026, even though the data for that year only covers the period from January to July so it cannot be compared proportionally with the data for 2024 and 2025 which cover a full year.

Regarding the obstacles to the implementation of coaching, the results of the interviews showed that the factor that most affected the effectiveness of coaching at LPKA Class II Batam was the limitation of human resources, especially coaching officers with special competencies in the fields of education, religion, and child psychology, because the available coaching staff was still general.⁶⁴ The factors of facilities and infrastructure were considered not fully optimal considering that LPKA was only operating at its current location, but it did not significantly affect coaching because the need for facilities could be worked on gradually. From the external side, the success of preventing recidivism is highly dependent on the role of parents or guardians after liberation, considering that the supervisory authority of LPKA ends once the child is declared free, so LPKA's efforts are more directed at legal socialization to schools and the general public.⁶⁵

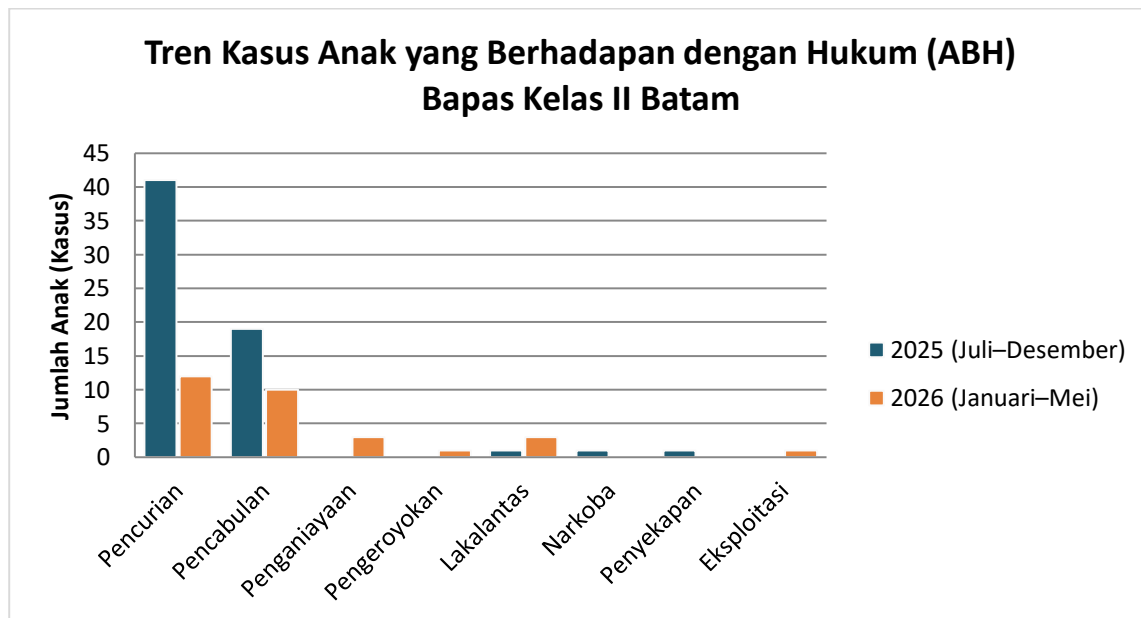
⁶³ Data on Children Facing the Law (ABH), Special Children's Development Institute (LPKA) Class II Batam, Year 2024–2026.

⁶⁴ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

⁶⁵ Interview with Mr. Tomy Suganda, Community Guidance Staff (Bibkemas) of the Batam Class II Special Children's Development Institute (LPKA).

Meanwhile, the role of the Bapas is again carried out when the child receives parole or other integration rights. The results of the interview show that the child who has been released is required to report to the father within a certain period of time. At this stage, the Community Advisor monitors the child's activities, the state of his social environment, interaction with the family, and educational activities or work undertaken. This assistance aims to ensure that the social reintegration process runs smoothly and the child does not repeat the crime.⁶⁶

Table 2.2 Data on Children in Conflict with the Law (ABH)
Batam Class II Correctional Center



Source: Observation Results at Bapas Class II Batam (2026)

Based on data from the Batam Class II Correctional Center, theft and molestation cases are the types of crimes that are most committed by Children Facing the Law (ABH) in the 2025–2026 period. The graph shows that theft cases were ranked at the top in both observation periods, followed by obscenity cases. Meanwhile, other types of cases such as persecution, demolition, traffic accidents, narcotics, detention, and exploitation were recorded in smaller numbers.⁶⁷

The results of this study show that efforts to foster and assist ABH in Batam City must be focused on preventing the most common crimes, especially theft and obscenity, by strengthening family supervision, character building, and sustainable social support to avoid the recurrence of criminal behavior in children.

Even though the mentoring mechanism has been implemented, Bapas Class II Batam still faces several challenges in reducing the rate of child recidivism. The results of the interview show that Bapas Batam, which has only been operating for one year, is still limited in human resources and infrastructure, so the implementation of guidance is still assisted by Bapas Class I Tanjungpinang. In addition, the limited facilities make

⁶⁶ Interview with Mr. Heri Fadrianto, Community Guidance of the Batam Class II Correctional Center.

⁶⁷ Interview with Mrs. Tia Kirana Octavia, Head of the Child Client Guidance Subsection of the Batam Class II Correctional Center.

Bapas unable to carry out programs to develop children's interests, talents, and skills optimally as part of efforts to prevent recidivism.⁶⁸

Furthermore, supervision of children after liberation cannot be carried out completely because the parties who know the daily development of children are parents, guardians, and communities in the environment where they live. The success of reducing recidivism therefore depends not only on the guidance of LPKA and the assistance of the father, but also the support of the family and social environment. Analyzed with the Soekanto Legal Effectiveness Theory, this condition is influenced by three factors: first, law enforcement factors, namely the limited number of Community Counselors (PK) at Bapas Class II Batam which has only been operating for one year so that it is still assisted by Bapas Class I Tanjungpinang; second, facilities and infrastructure factors, namely the limited facilities for children's interest, talent, and skill development programs; and third, community factors, namely the low supervision and support of families after liberation.⁶⁹ These findings reinforce the importance of systematically identifying determinants of recidivism, considering that qualitative community research instruments alone are not enough to accurately map the risk of children repeating criminal acts.⁷⁰

D. Conclusions and Recommendations

Based on the results of the research, the legal protection arrangements for ABH during coaching at LPKA have been regulated in stages starting from Article 28B paragraph (2) of the 1945 Constitution and Law Number 11 of 2012 concerning SPPA, to in detail in Articles 12 and 13 of Law Number 22 of 2022 concerning Corrections, which guarantee the basic and progressive rights of fostered children. In terms of mechanism, LPKA Class II Batam has carried out adequate personality and independence development, supported by relocation to Bintan Island, while Bapas carries out assistance from pre-trial to post-parole supervision. However, the synergy between the two is still casuistic and has not been outlined in the standard SOPs, so that together with the limitations of human resource specialization, weak family involvement, and community stigma, ABH's social reintegration has not fully succeeded in suppressing recidivism.

Several practical recommendations can be proposed, namely strengthening the competence of LPKA officers through training in the fields of education, religion, and child psychology, accelerating the placement of definitive Community Supervisors in Batam Class II Bapas, the preparation of the LPKA-Bapas MoU/SOP to formalize coordination, especially at the parole stage of more structured family assistance such as scheduled home visits, as well as the standardization of LPKA good practices such as interest-talent assessments and free readiness evaluations so that they can be replicated by other institutions. This research has limitations in the form of a limited number of resource persons and the scope of case studies in one location, namely Batam City which is a free

⁶⁸ Interview with Mr. Heri Fadrianto, Community Guidance of the Batam Class II Correctional Center.

⁶⁹ Soerjono Soekanto, "Factors Influencing Law Enforcement", (Jakarta: Raja Grafindo Persada, 2011), p. 8.

⁷⁰ Iqraq Sulhin and Yogo Tri Hendiarto, "Identification of Determinant Factors of Recidivism," Indonesian Journal of Criminology 7, no. 3 (2011): p. 356.

trade area with distinctive socio-demographic characteristics such as high mobility of migrant populations, so that findings on family and community factors do not necessarily apply in other areas; The data is also limited because Bapas Class II Batam will only operate in 2025 and the research time span is only until July 2026, while *the cross-sectional* design used has not captured the development of the effectiveness of coaching longitudinally. Therefore, further research is recommended to expand the number and variety of resource persons, use longitudinal design to track post-liberation recidivism, and expand the research locus to LPKA and Bapas in areas with different socio-demographic characteristics from Batam to test whether the patterns of family and community factors found are typical of Batam or apply more broadly, as well as explore the formal synergy mechanism between child correctional institutions.

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