

ANALYSIS OF THE COACHING PROGRAM AS AN EFFORT TO PREVENT THE RECURRENCE OF CRIMINAL ACTS AGAINST CHILDREN ASSISTED BY PERPETRATORS OF THEFT WITH IMPRISONMENT

(Study of the Decision of the District Court Class 1B Metro Number 6/Pid.Sus-Anak/2024/PN Met)

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Abstract

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The rehabilitative approach in the juvenile correctional system has not been fully effective, as evidenced by the persistence of recidivism among children after completing their rehabilitation programs. This condition is reflected in Decision Number 6/Pid.Sus-Anak/2024/PN Met, in which a juvenile offender was found guilty of repeated aggravated theft. This study aims to analyze the factors contributing to juvenile recidivism and examine the implementation and challenges of rehabilitation programs at the Special Child Development Institution (LPKA). The research employed normative and empirical juridical approaches through the analysis of legislation, interviews with correctional officers and juvenile inmates, and field observations. The findings indicate that recidivism is influenced by the absence of a father figure, school dropout, peer influence, and economic hardship. Rehabilitation programs implemented through placement in the LPKA have complied with the Juvenile Criminal Justice System Law and the Corrections Law as educational and rehabilitative interventions. However, their effectiveness remains constrained by the limited availability of specialized human resources, geographical barriers affecting service delivery, punitive and stigmatizing approaches, and a conventional institutional work culture. Therefore, rehabilitation should be strengthened through assessment-based psychosocial interventions, continuous capacity building for correctional officers, and enhanced inter-agency collaboration to improve reintegration outcomes and reduce juvenile recidivism.

INTRODUCTION

The State of Indonesia is a state of law as reflected in the constitution Article 1 paragraph (3) of the Constitution of the Republic of Indonesia of 1945 (Constitution of

the Republic of Indonesia of 1945). The state of law has respect, commitment, respect for human rights along with the guarantee that all citizens have the same position in the eyes of the law, including children facing the law, it can be said to be equality before the law(Jainah et al., 2020).

Children are part of the next generation of the nation who have a strategic position in national development(S Endang Prasetyawati et al., 2022). Therefore, the state has an obligation to provide protection for children's rights, both children who are in normal conditions and children who are in conflict with the law(Putu et al., 2022). Children's rights are basically part of human rights that are inherent from birth and must be respected, protected, and fulfilled by the family, society, and the state. The protection is based on the understanding that children are individuals who are still in the stages of physical, mental, and social development so that they need special treatment in every legal process they undergo(Putra et al., 2022).

In the development of modern society marked by the current of globalization, advances in information technology, and changes in dynamic social structures, there is a shift in children's behavior patterns that often lead to deviant actions(Khairunnisa & Rasji, 2024). The phenomenon of increasing children's involvement in criminal acts is one of the indicators of social dysfunction influenced by various multidimensional factors, such as economic pressure, a less conducive social environment, weak family supervision functions, and a lack of internalization of moral and legal values. This condition shows that child delinquency has been transformed into criminal behavior that requires comprehensive and integrated handling(Alfar et al., 2023).

From the perspective of juvenile criminal law, children who commit criminal acts cannot be seen only as perpetrators of crimes, but also as individuals who need guidance and protection(Paulson et al., 2021). The Juvenile Criminal Justice System through Law Number 11 of 2012 emphasizes that the implementation of juvenile justice must be based on the principles of protection, justice, the best interests of children, child survival and development, as well as child guidance and guidance(Agung Jaya & Ketut Seregig, 2024).

This approach shows a paradigm shift in juvenile punishment, namely from a punitive (retributive) approach to a rehabilitative and restorative approach. Criminalization of children is not only aimed at providing a deterrent effect, but is also directed to improve children's behavior, increase legal awareness, and prepare children to be able to return to their social functions in society(Hartono et al., 2024).

Children's involvement in criminal acts is a complex problem because it is influenced by various factors, both internal and external(Angriani et al., 2023). Internal factors can be in the form of psychological conditions, low self-control, and lack of legal awareness, while external factors can be in the form of family environment, associations, economic conditions, and weak social supervision(Alifiyah & Anshori, 2023). According to Travis Hirschi's theory of social control, deviant behavior can occur when an individual's relationship with his or her social environment is weakened so that control over behavior becomes reduced(Falch-Eriksen et al., 2021).

One form of criminal act involving children is the crime of theft with aggravation as stipulated in Article 363 of the Criminal Code (KUHP). The criminal act has special characteristics because there are aggravating elements that cause the act to have a higher level of seriousness than ordinary theft. The involvement of children in the crime of theft with aggravation is an important issue because in addition to causing losses to the victim, it also affects the future and development of the child.

Children who have been proven to have committed a criminal act and undergo a juvenile criminal justice process will serve their sentence at a Special Children's Development Institution (LPKA). And then referred to as fostered children. According to Article 1 number 8 of Law Number 22 of 2022 concerning Corrections, what is meant by Fostered Children is:

"Assisted Children are children who are 14 (fourteen) years old, but not yet 18 (eighteen) years old who are undergoing coaching at the Special Children's Development Institution."

The Special Children's Development Institution (LPKA) is an institution or place that is specifically used for Fostered Children to serve their criminal term through a coaching process that aims to improve the quality of personality, independence, and prepare children to reintegrate into community life (Danil et al., 2022).

The juvenile criminal justice system in Indonesia has regulated a coaching mechanism through a special institution, namely the Special Children's Development Institute (LPKA). This institution functions as a place for coaching for sentenced children, with the aim of not only providing a deterrent effect, but also reshaping children's character through various programs, such as education, skills training, and mental and social coaching.

Children who are serving their sentences at the Special Children's Development Institution (LPKA) have the potential to experience social stigma and obstacles in the process of reintegration into society. This condition can increase the risk of repetition of criminal acts (recidivism), if it is not balanced with an effective coaching program during the child's sentence. Therefore, the existence of the right coaching program is very important as an effort to reshape children's behavior so that they do not repeat their actions. Coaching at LPKA focuses not only on providing a deterrent effect, but also on developing children's potential through education, skills training, and mental and social coaching.

In a study conducted by Bambang Hartono regarding the application of restorative justice to children who are in conflict with the law, it was explained that the settlement of children's cases must put the best interests of the child as the main basis because children have different characteristics from adult criminal offenders. Approaches to children should lead to recovery and coaching, not just punishment.

In line with this, research on the implementation of diversion of children in Bandar Lampung also shows that the mechanism for handling children who are in conflict with the law must be directed to a settlement that is able to provide protection for children and prevent children from the negative impact of the formal criminal justice process. Although the coaching system has been designed with a rehabilitative approach, in practice there are still fostered children who return to commit criminal acts after undergoing the coaching process. This condition shows that the success of coaching does not only depend on the existence of the coaching program, but also on the effectiveness of the implementation of the program in changing behavior, improving skills, preventing the recurrence of criminal acts and preparing children to return to society.

This problem can be seen in the Decision of the District Court Class IB Metro Number 6/Pid.Sus-Anak/2024/PN Met regarding the child R.A. alias Ucok was legally and convincingly proven guilty of committing the crime of theft with aggravation and sentenced the child to imprisonment for 3 (three) years at the Bandar Lampung Special Children's Development Institute (LPKA). Previously in 2021, the child was sentenced

to 1 (one) year and 8 (eight) in prison at the Bandar Lampung Special Child Development Institution (LPKA) for a case of child abuse and abuse.

RESEARCH METHODS

This study uses normative juridical approaches and empirical juridical approaches. The normative juridical approach is carried out through the study of laws and regulations, literature, and legal materials related to the juvenile criminal justice system and the development of fostered children. Meanwhile, an empirical juridical approach was carried out to obtain primary data through direct observation and interviews at the Special Children's Development Institute (LPKA) Class II Bandar Lampung. The research resource persons consisted of the Head of the Registration and Classification Section, the Head of the Development Section, and the Head of the Assessment and Classification Branch. The data obtained was analyzed qualitatively by integrating the results of normative studies and empirical findings to answer research problems regarding the factors that cause child recidivism as well as the implementation and obstacles of coaching programs.

RESULTS AND DISCUSSION

The results of the study show that the repetition of criminal acts committed by fostered children in Decision Number 6/Pid.Sus-Anak/2024/PN Met is influenced by a combination of personal, family, social, and economic factors. The loss of the father figure as the main supervisor in the family, dropping out of school, the influence of the social environment, and economic pressure form conditions that increase the vulnerability of children to return to commit crimes. The findings show that child recidivism is not only influenced by individual factors, but is also an accumulation of various unresolved social problems when children return to the community.

Normatively, the implementation of coaching for children who are in contact with the law is in accordance with the provisions of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and Law Number 22 of 2022 concerning Corrections. Both regulations place children as subjects who must obtain legal protection through rehabilitative, educational, and restorative approaches. The fulfillment of children's rights during coaching, such as the right to education, health services, legal aid, religious guidance, and protection from inhumane treatment, is the main foundation in the implementation of coaching at LPKA.

Based on the results of an interview with the Head of the LPKA Class II Development Section of Bandar Lampung, the implementation of the coaching program is carried out through a comprehensive approach including mental, spiritual, educational, psychosocial, and life skills coaching. The program is designed to build character, improve social adaptability, and prepare children to be able to return to their social functions after completing their sentence. The implementation of this coaching shows that the orientation of correctional institutions no longer focuses on retribution, but on the process of changing children's behavior in a sustainable manner.

The implementation of coaching is carried out in stages according to the criminal period, starting from the initial stage, the advanced stage, to the final stage which is linked to the social reintegration program. Each stage of coaching is prepared based on the results of the assessment of the child's risk and needs so that the form of intervention provided is adjusted to the characteristics of each fostered child. This individualized

approach shows the application of the principle of *individual treatment* in the child correctional system which aims to minimize the risk of repetition of criminal acts after the child returns to society.

In addition to personality coaching, LPKA Class II Bandar Lampung also carries out independence coaching through various vocational activities such as hydroponics, screen printing, handicrafts, ornamental plant cultivation, flower boards, and fish pond management. The program aims to equip children with work skills so that they have legal alternatives to work after being released. The provision of job skills is an important part of the rehabilitation process because it can increase economic independence while reducing the chances of children returning to commit crimes due to economic pressure.

The results of this study are in line with the Relative Theory of the Purpose of Punishment proposed by Zevenbergen and developed by Muladi and Barda Nawawi Arief. The theory emphasizes that crime aims to improve the perpetrator through juridical, intellectual, and moral improvements so that it can prevent future crimes. In the context of child development, this orientation is reflected through the implementation of education, mental coaching, religious coaching, and skills training as a means of shaping overall changes in children's behavior.

However, the effectiveness of coaching has not been fully optimal. Research found that there are still foster children who commit recidivism after being released because the behavioral changes formed during coaching have not been fully able to be maintained when the child returns to his social environment. This shows that the success of coaching is not only determined by the quality of the program in LPKA, but also influenced by family conditions, community environment, and social support after the child undergoes reintegration.

Another obstacle found is the limitation of human resources who have special competencies in the fields of psychology, social work, and child counseling. This condition causes the implementation of psychosocial assessments, counseling, and evaluation of child development to not be carried out optimally. In addition, there is still a work culture that tends to be administrative and conventional, so that the implementation of coaching is not completely based on the individual needs of each fostered child.

Research also shows that the risk and needs assessment process has become an important instrument in determining the form of coaching given to children. The assessment is carried out through interviews, document verification, risk assessment, recommendation preparation, and coordination between LPKA and Community Supervisors. However, the implementation of the assessment results still faces obstacles due to limited professional personnel and suboptimal coordination across institutions in supporting the sustainability of the coaching program after children return to the community.

Overall, the results of the study show that the coaching program at LPKA Class II Bandar Lampung has been implemented in accordance with the applicable legal framework and adopts a rehabilitative approach. However, its effectiveness in preventing the recurrence of criminal acts still requires strengthening through the transformation of coaching that is more oriented towards assessment-based psychosocial interventions, increasing the capacity of officers, providing professional personnel, and strengthening synergy between LPKA, Correctional Centers, families, schools, and local governments. This more comprehensive approach is expected to be able to build children's resilience

and reduce recidivism rates in a sustainable manner.

CONCLUSION

This study shows that the repetition of criminal acts committed by fostered children in Decision Number 6/Pid.Sus-Anak/2024/PN Met is influenced by factors such as the loss of the father figure, school dropouts, social influences, and economic pressures that are interrelated, thereby increasing the risk of recidivism. The implementation of the coaching program at the Class II Special Children's Development Institution (LPKA) Bandar Lampung has been carried out in accordance with the provisions of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and Law Number 22 of 2022 concerning Corrections through personality development, education, religion, skills, and social reintegration. However, the effectiveness of coaching in preventing the recurrence of criminal acts is not optimal because it still faces various obstacles, including limited human resources who have special competencies, coaching approaches that are still administratively inclined, and not optimal support for family, community, and cross-institutional coordination in supporting the process of social reintegration of children after completing coaching.

The Bandar Lampung Class II Special Children's Development Institution needs to strengthen a coaching approach oriented to psychosocial interventions based on assessment of children's risks and needs with the support of professionals, such as psychologists, social workers, and counselors, as well as increasing the capacity of officers through continuous education and training. In addition, the Directorate General of Corrections together with local governments need to strengthen cross-sector synergy through a memorandum of understanding with relevant agencies, schools, and social welfare institutions to ensure the sustainability of assistance, education, and economic empowerment of children after release, so that the risk of recidivism can be minimized.

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