

THE ROLE OF PROBATION OFFICERS IN THE JUVENILE CRIMINAL JUSTICE SYSTEM IN INDONESIA

*Miranti Nilasari**

I. INTRODUCTION

This paper was written as a response to the 188th International Training Course on Theories of Offender Rehabilitation and Their Effective Implementation, reflecting on the importance of rehabilitation-oriented justice systems and their application in various national contexts. Indonesia serves as a compelling case study in this regard, as its criminal justice system increasingly emphasizes restorative justice, rehabilitation and diversion, particularly in handling juvenile cases.

The Indonesian criminal justice system is structured around four main pillars: the police, the prosecution service (Kejaksaan), the courts (Pengadilan) and correctional institutions (Pemasyarakatan). In place of a punitive approach, the system prioritizes rehabilitative measures, especially for children in conflict with the law. A key component of this approach is the correctional system, which includes the probation office, empowered to act as early as the initial police custody. The role of the probation officer, known locally as *Pembimbing Kemasyarakatan (PK)*, is crucial in this framework. They provide both support and comprehensive social assessments of the offender, offering insight into the underlying causes of criminal behaviour. This assessment is instrumental for judges when making decisions. In juvenile cases, this process is clearly outlined, requiring police to immediately notify and involve the probation office upon arrest.

Law No. 11 of 2012 concerning the juvenile criminal justice system underscores this restorative model. It affirms the community's role not only in crime prevention but also in safeguarding the rights, dignity and developmental needs of children throughout the justice process. Probation officers, therefore, function not only as facilitators of justice but also as agents of social reintegration—embodying the spirit of offender rehabilitation and exemplifying the very principles promoted in the 188th International Training Course.

II. THE INDONESIAN PROBATION OFFICER

Indonesia's juvenile criminal justice system is in line with contemporary theories of offender rehabilitation, which stress that complex social, economic and psychological factors—rather than innate criminality—are frequently the cause of criminal behaviour, especially among juveniles. The significance of treating the underlying causes of criminal conduct and facilitating the offender's reintegration into society as contributing members is emphasized by theories including the Good Lives Model (GLM) and the Risk-Need-Responsivity (RNR) model. While Indonesia's juvenile justice system does not formally cite the RNR or GLM frameworks, it operationalizes many of their core principles through institutional mandates, legal provisions and social work practices. These theories are put into practice in Indonesia through a variety of institutional and legislative frameworks, with the juvenile criminal justice system (JCJS) in the forefront. The JCJS uses community-based rehabilitation, restorative justice and diversion in place of a purely punitive strategy. The successful application of these theories depends heavily on Pembimbing Kemasyarakatan's (PK) role. In order to facilitate reconciliation and reintegration, they collaborate with families and communities while implementing risk and needs assessments as probation officers.

Indonesia's commitment to international standards, such as the UN Convention on the Rights of the Child,

* Head, Juvenile Client Guidance Section, Correctional Counseling Center Class I Surakarta, Directorate General of Corrections, Indonesia.

has strengthened the framework for implementing rehabilitation-based approaches. By focusing on human rights, child protection and restorative principles, Indonesia's JCJS strives to provide child offenders with a second chance, reduce recidivism and enhance community safety. Indonesia's JCJS aligns with contemporary rehabilitation theories that view juvenile delinquency not as a manifestation of inherent criminal tendencies but as a response to complex socio-economic, environmental and psychological factors. Models such as the principles of restorative justice have influenced global approaches to offender treatment and are increasingly reflected in Indonesian legal and correctional policies.

In Indonesia, the Directorate General of Corrections under the Ministry of Immigration and Correction governs probation services. Probation officers handle pre-sentence investigations, diversion processes, supervision and social reintegration. According to Article 65 of Law No. 11 of 2012 on the Juvenile Criminal Justice System, a probation officer (*Pembimbing Kemasyarakatan*) has the following duties:

- a. To prepare a social inquiry report for the purposes of diversion, and to provide assistance, guidance and supervision of the child throughout the diversion process and the implementation of any diversion agreement, including reporting to the court if the diversion is not carried out;
- b. To prepare a social inquiry report for the purposes of investigation, prosecution and trial in cases involving children, both inside and outside the court proceedings, including in the Child Special Development Institution (*LPKA*) and the Child Temporary Placement Institution (*LPAS*);
- c. To determine the care programme for the child in the LPAS and the development programme for the child in the LPKA together with other correctional officers;
- d. To provide assistance, guidance and supervision of the child who, by court decision, is sentenced to a punishment or subject to a specific action; and
- e. To provide assistance, guidance and supervision of the child who receives assimilation, parole, pre-release leave or conditional leave.

Based on this article, probation officers have carried out several good practices in the JCJS during the supervision of child clients: assisting children throughout the pre-adjudication, adjudication and post-adjudication stages.

In preparing a social inquiry report, the probation officer must also conduct an assessment of the child client using a Risk Recidivism Instrument (RRI) and a criminogenic factors assessment to determine the child's risk of reoffending and to identify the factors that contribute to their delinquent behaviour. Based on the Risk Recidivism Instrument (RRI) and the Criminogenic Factors Assessment Guidelines issued by the Directorate General of Corrections, the development of risk and needs assessment instruments in Indonesia's correctional system began in 2008, when the Directorate General of Corrections collaborated with New South Wales Corrective Services to develop the Indonesian Risk Recidivism Instrument (RRI) and the Criminogenic Needs Assessment Instrument, which are adaptations of the Level of Service Inventory-Revised (LSI-R).

- a. *Diversion*: Indonesia has made great strides in putting in place diversion programmes that, when suitable, settle juvenile cases out of court;
- b. *Community Involvement*: Collaboration with local government, local leaders, social workers, NGOs, and families strengthens rehabilitation;
- c. *Individualized Care*: Probation officers develop an individual treatment plan considering the juvenile's needs and circumstances.

Central to the implementation of these principles is the role of the probation officers (PK). These professionals perform several roles as justice facilitators, conducting risk and needs assessments, preparing comprehensive social inquiry reports and mediating between offenders, victims, families and community stakeholders. Their work helps ensure that each case receives a response tailored to the child's individual

circumstances, needs and potential for reform, consistent with restorative justice approaches.

These theoretical frameworks emphasize the importance of addressing the root causes of offending behaviour, fostering personal development and facilitating the offender's reintegration into society as a productive, socially responsible individual. In Indonesia, these ideals are operationalized through a legal framework that emphasizes diversion, community-based rehabilitation and restorative justice in lieu of retributive punishment. The passage of Law No. 11 of 2012 on the Juvenile Criminal Justice System was a milestone in this regard, embedding child-friendly justice principles and emphasizing the rehabilitative rather than punitive orientation of juvenile proceedings.

JCJS training is given to law enforcement officers to enhance synergy and collaboration. Probation officers play a vital role in ensuring that children in conflict with the law are treated in accordance with principles of child protection and human rights. Rooted in restorative justice, risk-need-responsivity and desistance theories, their work emphasizes diversion and treatment over punishment, helping young offenders repair harm and return to society as responsible citizens. In order to address the underlying reasons of crime, probation officers monitor community service or other non-custodial measures, conduct social inquiry reports, mediate diversion between victims and offenders and work with families, schools and non-governmental organizations.

Instead of concentrating on punishment, probation officers try to identify and solve the underlying factors that contribute to juvenile offences, which are frequently connected to peer pressure, family dysfunction, poverty or limited educational opportunities. In order to support a child's development and reintegration, they work with families, schools, non-governmental organizations and other stakeholders. They also conduct Social Inquiry Reports (Litmas), recommend diversion programmes and monitor non-custodial sentences like community service. Ultimately, probation officers serve as the bridge between the legal system and the community, ensuring that the JCJS fulfils its goal of protecting children's rights while promoting public safety and social reintegration.

III. CURRENT CONDITIONS AND CHALLENGES

Although there have been encouraging outcomes from good practices like family group conferences and community partnerships, there are still many obstacles to overcome, such as heavy caseloads, scarce resources, social stigma and a lack of interagency cooperation. To overcome these barriers, Indonesia must invest in expanding the number and capacity of probation officers, build stronger community awareness about restorative justice, improve facilities for rehabilitation and strengthen partnerships across the criminal justice system and civil society. Additionally, consistent implementation is hampered by differences in the quality and accessibility of services across urban and rural locations. Due to their frequently excessive caseloads, probation officers are unable to provide the level of involvement and follow-up required for successful rehabilitation. While the legal framework is progressive, implementation in the field presents ongoing challenges. Many probation officers face:

- a. Limited resources, as many probation officers work in locations with inadequate facilities, such as a dearth of meeting rooms or limited availability of counselling and rehabilitation services;
- b. Stigma against juvenile offenders is still strong in some communities, and many people view children who have broken the law as threats rather than individuals who deserve a second chance. This can make it harder for probation officers to gain community support for non-custodial measures or mediation efforts, which are essential for effective diversion and reintegration;
- c. High caseloads and limited staffing, particularly in rural or underserved regions;
- d. Lack of adequate training and professional development, especially in applying advanced assessment tools and trauma-informed care;
- e. Limited inter-agency coordination, which can hinder holistic support for the child. There are still gaps

in communication and collaboration. One contributing factor is the sectoral ego that sometimes exists among different law enforcement agencies. Sometimes, probation officers are not involved early enough in cases to provide timely input for diversion decisions. Differences in understanding of diversion and rehabilitation between agencies can also cause delays and misunderstandings that affect the child's case;

- f. Insufficient public awareness about the role of PKs and restorative justice, which affects community involvement.

Despite these constraints, probation officers remain central to Indonesia's efforts to shift away from punitive approaches and toward a justice system that respects children's rights and developmental needs. Their work is critical in ensuring that children are not further harmed by the justice process, but are instead given a second chance to grow, learn and contribute positively to society.

IV. CONCLUSION

In Indonesia's juvenile criminal justice system, probation officers are essential reform agents. They assist juvenile offenders in reintegrating into society and reducing reoffending cycles by striking a balance between supervision and rehabilitation. Restorative justice principles will be successfully achieved if this function is strengthened through interagency cooperation, community involvement and resource allocation. In conclusion, the Indonesian juvenile criminal justice system is a dynamic attempt to go from punishment to restoration, from exclusion to reintegration and from control to empowerment, even though implementation gaps still exist. In order to create a system that not only protects justice but also creates safer, more inclusive communities, Indonesia is highlighting the importance of community-based treatment and recognizing the developmental needs of young offenders. In essence, *Pembimbing Kemasyarakatan* serve as a bridge between the legal system and the community—balancing accountability with compassion. They uphold not only the legal mandates of the juvenile criminal justice system but also the ethical imperative to treat every child with dignity, hope and the opportunity for change.

REFERENCES

1. Juvenile Criminal Justice System Law No. 11 of 2012
2. Ministry of Immigration and Correctional Regulations
3. The Risk Recidivism Instrument (RRI) and the Criminogenic Factors Assessment Guidelines issued by the Directorate General of Corrections