

Multisystemic Therapy in Juvenile Diversion: Toward Its Integration into Indonesia's Juvenile Criminal Justice System

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Article Info

Submitted: December 15, 2025

Revised: May 5, 2026

Accepted: June 5, 2026

Keywords:

Multisystemic Therapy; Juvenile Criminal Justice System; Diversion; Restorative Justice; Child Protection.

How to cite [Chicago Manual of Style 17th edition (full note)]: Kasmanto Rinaldi, Heni Susanti, Lisfarika Napitulu, Khotma Umniah Fahlewi, and Christine B. Tenorio. "Multisystemic Therapy in Juvenile Diversion: Toward Its Integration into Indonesia's Juvenile Criminal Justice System" *Jambura Law Review* 8, no. 2 (2026): 407–430.

Abstract

This study examined the potential integration of Multisystemic Therapy (MST) into juvenile diversion within Indonesia's juvenile criminal justice system. Although Indonesia has formally adopted restorative justice principles through Law No. 11 of 2012, diversion practices remain largely procedural and lack structured psychosocial intervention models. The study employed a qualitative approach combining normative legal analysis and empirical inquiry, including literature review, semi-structured interviews with 6 key stakeholders, and 1 Focus Group Discussion (FGD) conducted in Pekanbaru. This approach allowed for an evaluation of both the legal suitability and practical applicability of MST within Indonesia's diversion system. The results indicate three key findings. First MST aligns with the juvenile diversion framework in Indonesia due to its focus on family-centered intervention, offender accountability, and active community participation. Second, current diversion practices remain largely administrative and do not adequately address the behavioral and environmental causes of juvenile offending. Third, several barriers to MST integration were identified, including limited regulatory support, a lack of trained professionals, and weak inter-agency coordination. This study proposes a conceptual model that positions MST as a structured intervention within diversion procedures, supported by regulatory reform, institutional capacity building, and interdisciplinary collaboration. The integration of MST is expected to strengthen diversion outcomes by enhancing rehabilitation effectiveness and reducing recidivism among juvenile offenders.

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Introduction

A child in conflict with the law is an individual under the age of 18 who has committed an offense and is subject to criminal justice proceedings.¹ In line with the global commitment to uphold children's rights, Indonesia has enacted Law No. 11 of 2012 on the Juvenile Criminal Justice System,² which normatively emphasizes a restorative justice approach through the diversion mechanism.³ Diversion is defined as an effort to resolve a child's case outside the judicial process,⁴ with the goal of avoiding stigmatization and protecting the child's future development and well-being. This process involves the offender, the victim, the family, and the community to reach a peaceful agreement based on reconciliation values.⁵

Although Indonesia's legal framework has adopted the concept of restorative justice, its realization still faces challenges at the implementation level.⁶ Diversion is frequently confined to administrative or formal arrangements, such as apologies and compensation, without adequately addressing the underlying causes of the child's behavior, which are closely associated with psychosocial and environmental factors.⁷ Research in Indonesia also indicate that diversion implementation frequently remains formalistic and procedural, with limited attention to the child's psychosocial rehabilitation and long-term reintegration process.⁸ In fact, children in conflict with the law often have a background of trauma, emotional disorders, or family dysfunction that have not been

¹ Muhammad Ridwan Lubis and Panca Sarjana Putra, "Pemidanaan Terhadap Anak Yang Berhadapan Dengan Hukum," *USM Law Review* 4, no. 1 (2021): 226–41, <https://doi.org/http://dx.doi.org/10.26623/julr.v4i1.3354>.

² Ahsanul Fahmi et al., "Judicial Practices in Enforcing Post-Divorce Maintenance Rights for Women and Children in Indonesia," *Indonesia Private Law Review* 6, no. 2 (2025): 103–16, <https://doi.org/10.25041/iplr.v6i2.4608>.

³ Mahendra Ridwanul Ghoni and Pujiyono Pujiyono, "Perlindungan Hukum Terhadap Anak Yang Berhadapan Dengan Hukum Melalui Implementasi Diversi Di Indonesia," *Jurnal Pembangunan Hukum Indonesia* 2, no. 3 (2020): 331–42, <https://doi.org/https://doi.org/10.14710/jphi.v2i3.331-342>.

⁴ Rakhmi Izharti et al., "The Urgency of Codifying and Unifying Restorative Justice Regulations in Criminal Procedure Code Reform," *Trunojoyo Law Review* 7, no. 2 (2025): 223–52, <https://doi.org/10.21107/tlr.v7i2.30601>.

⁵ Eurike Febritha Ramimpi and Joko Joko Setiyono, "Keadilan Restoratif Sebagai Perlindungan Terhadap Anak Yang Berkonflik Dengan Hukum Dalam Penyelesaian Perkara Tindak Pidana," *Jurnal Komunikasi Hukum (JKH)* 8, no. 1 (2022): 273–90, <https://doi.org/10.23887/jkh.v8i1.44376>.

⁶ CSA Teddy Lesmana et al., "Participatory Rational Justice in Criminal Law Reform as an Integrative Theory for Substantive Justice and Social Legitimacy," *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, March 21, 2026, 21–36, <https://doi.org/10.24090/volksgeist.v9i1.15585>.

⁷ Fitria Yut Sepin et al., "Optimizing the Role of Community Advisors in Assisting Juvenile Clients with Diversion at the Mandau Sector Police," *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 23, no. 03 (2024): 16–30, <https://doi.org/https://doi.org/10.31941/pj.v23i3.5267>; Zico Junius Fernando et al., "Transnational Environmental Crime in the Context of International Criminal Law and Victim-Centered Environmental Justice," *Lampung Journal of International Law* 7, no. 1 (2025): 15–30, <https://doi.org/10.25041/lajil.v7i1.4338>.

⁸ Rinaldi, Kasmento, Heni Susanti, Suyatno Ladiqi, dan Dita Fisdian Adni. "Socioeconomic Inequality and Judicial Disparities in Drug Sentencing: A Mixed-Methods Study on Rehabilitation vs Imprisonment in Indonesia." *Mawaddah: Jurnal Hukum Keluarga Islam* 4, no. 1 (2026): 679–716. <https://doi.org/10.52496/mjhki.v4i1.87>

adequately detected⁹. If these factors are not addressed systematically, they increase the risk of recidivism and impede the child's social reintegration.¹⁰ Previous legal studies have emphasized that juvenile justice reform in Indonesia should move beyond punitive and administrative approaches toward more rehabilitative and child-centered intervention models.¹¹

In response to the limitations of formal restorative approaches, the Multisystemic Therapy (MST) approach has begun to gain attention as a more comprehensive intervention model.¹² MST is an evidence-based therapy that emphasizes the involvement of multiple systems in a child's life, such as family, school, peers, and the community.¹³ This approach is grounded in the view that a child's behavior is shaped by interconnected social systems, and that sustainable change requires intervention across these systems. However, empirical evidence on the effectiveness of MST remains mixed. Previous study indicate that, while MST demonstrates potential in certain contexts, its outcomes are not consistently superior to alternative interventions, raising questions about its generalizability and implementation across different settings.¹⁴

The strength of MST lies in its comprehensive, intensive, and individualized approach, which seeks to address not only the child's behavior but also the roles of family and the wider community in the rehabilitation process. Evidence from several countries, including the United States, Canada, Norway, the United Kingdom, and Chile, suggests that MST can contribute to reducing juvenile recidivism. However, its effectiveness is not uniformly established. Systematic reviews indicate that outcomes may vary depending on contextual factors, implementation quality, and institutional capacity, raising

⁹ Ridho Rinaldi and Dwi Yuliani, "Kondisi Psikososial Anak Yang Berkonflik Dengan Hukum Di Lembaga Pembinaan Khusus Anak Kelas Ii Kota Pangkal Pinang," *PEKSOS: Jurnal Ilmiah Pekerjaan Sosial* 19, no. 2 (2020): 280–93, <https://doi.org/https://doi.org/10.31595/peksos.v19i2.333>; Jeffrey D. Burke et al., "Prevalence of Mental Health Problems and Service Use among First-Time Juvenile Offenders," *Journal of Child and Family Studies* 24, no. 12 (2015): 3774–81, <https://doi.org/doi:10.1007/s10826-015-0185-8>.

¹⁰ Wafiq Aulia Ramadhani et al., "The Relationship between Mental Health Literacy and Adolescent Resilience in Crime Prone Areas in Indonesia," *Journal of Health Literacy* 10, no. 1 (2025): 90–99, <https://doi.org/10.22038/jhl.2024.80746.1590>.

¹¹ Rinaldi, Kasmanto, Suyatno Ladiqi, and Hilda Mianita. "Enforcement of Environmental and Natural Resource Crimes through a Green Policing Approach: The Concept for Balancing Law Enforcement and Social Order in Riau Province." *Journal of Law, Environmental and Justice* 4, no. 2 (2026). <https://doi.org/10.62264/jlej.v4i2.236>

¹² Shariffah Nuridah Aishah Syed Nong et al., "From Misbehaviour to Courtroom: Analyzing Malaysia's Legal Approach to Children Beyond Parental Control," *Jambe Law Journal* 8, no. 2 (2025): 443–74, <https://doi.org/10.22437/40hknt39>.

¹³ Butler, Stephen, Geoffrey Baruch, Nicole Hickey, and Peter Fonagy. 2011. "A Randomized Controlled Trial of Multisystemic Therapy and a Statutory Therapeutic Intervention for Young Offenders." *Journal of the American Academy of Child and Adolescent Psychiatry* 50 (12): 1220–35. <https://doi.org/10.1016/j.jaac.2011.09.017>

¹⁴ Julia H. Littell et al., "Multisystemic Therapy for Social, Emotional, and Behavioral Problems in Youth Aged 10-17," *Cochrane Database of Systematic Reviews* 17, no. 4 (2009), <https://doi.org/10.1002/14651858.CD004797.pub4>; Jia Xuan Tan and Maria Lourdes Restrepo Fajardo, "Efficacy of Multisystemic Therapy in Youths Aged 10-17 with Severe Antisocial Behaviour and Emotional Disorders: Systematic Review," *London Journal of Primary Care* 9, no. 6 (2017): 95–103, <https://doi.org/10.1080/17571472.2017.1362713>.

The image above shows issues related to juvenile delinquency. A preliminary bibliometric mapping was conducted using the Scopus database to identify research trends on juvenile delinquency and Multisystemic Therapy (MST). The analysis, performed using Biblioshiny, identified 71 documents using the keywords “multisystemic therapy” and “juvenile delinquency.” The results indicate that research on juvenile delinquency is extensive and commonly associated with themes such as adolescents, gender, criminality, and psychosocial interventions. This finding is consistent with previous study about bibliometric analysis on child recidivism, which highlights the growing global emphasis on rehabilitation-oriented interventions and integrated approaches to reducing juvenile reoffending.¹⁹ In contrast, MST appears less frequently as a focal intervention, with only 12 keyword occurrences identified in the dataset. However, keyword frequency does not necessarily reflect the depth or quality of existing research. Therefore, this mapping serves only as an initial overview of research trends rather than definitive evidence of a research gap.

Nevertheless, the limited visibility of MST in this context suggests the need for further exploration, particularly in relation to its integration into legal frameworks such as juvenile diversion. Accordingly, this study contributes by bridging applied psychology (MST) with juvenile criminal law, positioning MST not only as a clinical intervention but also as a potential rehabilitation model within the diversion framework. The research questions addressed in this study are as follows: first, what is the potential for implementing MST as a system-based intervention approach within the juvenile diversion process in Indonesia? Second, what challenges may arise in the application of MST in this context? In line with these questions, the aim of this study is to conduct an in-depth exploration and analysis of the potential adoption of MST in the diversion process in Indonesia from conceptual, normative, and implementation-oriented perspectives. This research also seeks to identify potential challenges in its application. Accordingly, the study is expected to provide both scholarly and practical contributions to the development of a more humane, rehabilitation-oriented juvenile criminal justice system that aligns with the principles of restorative justice.

Problem Statement

Despite the formal adoption of restorative justice within Indonesia’s juvenile criminal justice system, a significant gap persists between normative principles and practical implementation. Diversion mechanisms remain largely procedural and administrative, failing to incorporate structured interventions that address the underlying psychosocial determinants of juvenile offending. This disconnect raises concerns regarding the effectiveness of diversion in achieving its rehabilitative objectives. Accordingly, this study seeks to reconceptualize diversion by examining the potential integration of

¹⁹ Rinaldi, Kasmanto, and Zico Junius Fernando. "Policy Recommendations Based on Global Research Trends on Child Recidivism: A Bibliometric Analysis." *Contemp. Readings L. & Soc. Just.* 16 (2024): 760.

Multisystemic Therapy (MST) as a system-based intervention and by identifying the legal and institutional barriers to its implementation.

Methods

This study employs a normative-empirical legal study with a qualitative approach. The normative legal approach is used to examine the legal provisions that regulate the diversion mechanism in the juvenile criminal justice system, particularly based on Law No. 11 of 2012 on the Juvenile Criminal Justice System and other legal instruments. This study includes an analysis of the principles of restorative justice, the protection of children, and the rehabilitative approach as the normative foundation for proposing the integration of MST in the implementation of diversion. This approach aims to identify the alignment between the principles of MST and the principles of diversion law in Indonesia.²⁰

In addition, empirical approach is used to examine diversion practices and the sociological conditions of juvenile criminal justice system in Riau Province, which serves as the study site. Riau was purposively selected due to its experiences in implementing community-based intervention models and the availability of certified practitioners involved in juvenile justice processes. Empirical data was collected through five techniques: (1) literature study on legal documents, books, academic journals, and previous research; (2) in-depth interviews with key informants such as child protection investigators, child psychologists, probation officers, and child protection activists; (3) direct observation of the diversion process; (4) documentation of regulations and institutional policies; and (5) Focus Group Discussions involving cross-sectoral stakeholders, including juvenile prosecutors, judges, community counselors, juvenile criminal law academics, and civil society organizations such as Indonesian Child Protection Agency (Lembaga perlindungan anak, LPAI) and Integrated Service Institution for the Empowerment of Women and Children in Riau (Lembaga Bantuan Perlindungan Perempuan dan Anak Riau, LBP2AR)

The data were analyzed using a qualitative approach supported by NVivo 12 Plus software to facilitate the systematic analysis of non-numeric data.²¹ Interview transcripts, FGD records, observational notes, and policy documents were coded through a combination of deductive and inductive procedures. Deductive coding was guided by the principles of Multisystemic Therapy (MST), while inductive coding enabled the identification of emergent themes from the empirical data. The analysis sought to

²⁰ Ghoni and Pujiyono, "Perlindungan Hukum Terhadap Anak Yang Berhadapan Dengan Hukum Melalui Implementasi Diversi Di Indonesia"; Ramimpi and Joko Setiyono, "Keadilan Restoratif Sebagai Perlindungan Terhadap Anak Yang Berkonflik Dengan Hukum Dalam Penyelesaian Perkara Tindak Pidana."

²¹ David B. Allsop et al., "Qualitative Methods with Nvivo Software: A Practical Guide for Analyzing Qualitative Data," *Psych* 4, no. 2 (2022): 142–59, <https://doi.org/10.3390/psych4020013>.

examine the compatibility of MST principles with diversion practices and institutional arrangements within Indonesia's juvenile justice system.

To enhance the credibility and trustworthiness of the findings, this study employed triangulation at three levels: source triangulation, method triangulation, and theoretical triangulation. Source triangulation involved collecting data from informants representing diverse institutional and professional backgrounds. Method triangulation integrated multiple data collection techniques, including interviews, Focus Group Discussions (FGDs), observations, and document analysis. Theoretical triangulation was conducted by interpreting the findings through the perspectives of child protection law, restorative justice, and ecological systems theory.²² The use of these triangulation strategies enabled the validation of findings across multiple sources and perspectives, thereby strengthening the rigor and credibility of the analysis

The ultimate goal of using this method is to identify the potential integration of MST into the diversion legal system in Indonesia. The targeted success indicators are: (1) the mapping of MST principles relevant to juvenile criminal law; (2) the identification of common ground between MST and the principles of diversion in the Juvenile Criminal Justice System; and (3) the formulation of policy recommendations or alternative models for integrating MST into a more holistic and humane juvenile criminal justice system

The Juvenile Diversion Process in Indonesia

The implementation of diversion in Indonesia's juvenile criminal justice system embodies the principle of child protection, particularly the principle of the best interest of the child, is universally recognized in both national and international legal frameworks.²³ Normatively, the legal basis for diversion is established in Law No. 11 of 2012 on the Juvenile Criminal Justice System, which mandates that cases involving children should, where possible, be resolved outside the formal judicial process through diversion, with an emphasis on restorative justice. This law marks a significant milestone in juvenile justice reform in Indonesia, shifting the focus from retributive to rehabilitative approaches.²⁴

²² Sylvester Donkoh and John Mensah, "Application of Triangulation in Qualitative Research," *Journal of Applied Biotechnology & Bioengineering* 10, no. 1 (2023): 6–9, <https://doi.org/10.15406/jabb.2023.10.00319>; Henryk Dzwigol, "Research Methodology in Management Science: Triangulation," *Virtual Economics* 5, no. 1 (2022): 78–93, [https://doi.org/10.34021/ve.2022.05.01\(5\)](https://doi.org/10.34021/ve.2022.05.01(5)); Anita Bans-Akutey and Benjamin Makimilua Tiimub, "Triangulation in Research," *Academia Letters*, no. October (2021), <https://doi.org/10.20935/al3392>.

²³ Hana Krisnamurti, "Harmonizing the Principle of Judicial Pardon in Indonesia's Positive Law to Achieve Dignified Justice: Harmonisasi Asas Permaafan Hakim (Judicial Pardon) Dalam Hukum Positif Indonesia Untuk Mencapai Keadilan Yang Bermartabat," *LITIGASI* 26, no. 2 (2025): 104–34, <https://doi.org/10.23969/litigasi.v26i2.22645>.

²⁴ Indah Sri Utari et al., "Legal Protection for Children as Victims of Economic Exploitation: Problems and Challenges in Three Major ASEAN Countries (Indonesia, Vietnam and Philippines)," *Lex Scientia Law Review* 7, no. 2 (2023): 771–842, <https://doi.org/10.15294/lesrev.v7i2.68301>.

Indonesia, as a State Party to the Convention on the Rights of the Child (CRC), ratified through Presidential Decree No. 36 of 1990, has a legal obligation to ensure that the rights of children are protected with its criminal justice. Article 40(3) of the Convention encourages State Parties to provide alternatives to formal judicial proceedings for children in conflict with the law, including diversion and rehabilitation programs. This provision reflects the Convention's emphasis on the principle of the best interests of the child, which requires that decisions and legal processes involving children focus on their protection, rehabilitation, and successful reintegration into society. Consequently, the juvenile justice system should prioritize educational and restorative measures rather than punitive sanctions or imprisonment.

In practice, the implementation of diversion in Indonesia occurs at three main stages: investigation, prosecution, and trial. During the investigation stage, investigators are required to initiate diversion efforts within seven days of the commencement of the investigation, involving probation officers, the child's family, victims, and community representatives in a deliberative process. If successful, the diversion agreement is documented and submitted to the prosecutor.²⁵ At the prosecution stage, the prosecutor may continue or terminate the diversion process initiated by the investigator. If diversion remains unsuccessful, the juvenile judge at the trial stage is authorized to facilitate further diversion efforts.

Although this provision demonstrates a strong commitment to protecting children from the adverse consequences of formal judicial proceedings, the findings reveal a gap between the normative objectives of the Juvenile Criminal Justice System Law and its implementation in practice. As a result, diversion has not always been carried out in a manner consistent with the rehabilitative and restorative goals intended by the legislation. The authors identify several fundamental weaknesses that contribute to the low effectiveness of diversion as a child protection mechanism. First, the complex and lengthy administrative process constitutes a major obstacle. Many investigators experience practical constraints, as initiating diversion requires them to wait for assessment results from probation officers, whose limited numbers are often disproportionate to the regional workload. This situation leads to delays in case handling, prompting many investigators to prefer bringing cases involving children to court, as it is perceived to be faster and more efficient.

Second, at the level of understanding, many law enforcement officials particularly within the police and prosecution services do not yet fully grasp the principles of restorative justice or recognize diversion as a child's right rather than merely an administrative alternative. Third, the implementation of diversion has not consistently involved psychosocial professionals, such as child psychologists, psychiatrists, or social workers.

²⁵ Adi Tyogunawan et al., "Management of Confiscated Assets by the Prosecutor's Office: A Comparative Study between Indonesia and the United States," *Administrative and Environmental Law Review* 7, no. 1 (2026): 21–34, <https://doi.org/10.25041/aclr.v7i1.4955>.

However, a range of studies indicates that children in conflict with the law frequently experience psychological difficulties, including trauma, anxiety, and behavioral disorders, which, if left unaddressed, may heighten the risk of recidivism.²⁶

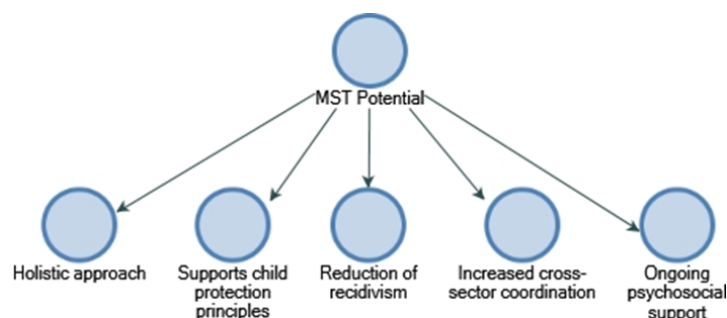
The absence of psychological interventions in the diversion process indicates a weakness in the holistic rehabilitative approach. Fourth, the lack of standardized and integrated operational procedures at the national level causes the implementation of diversion to vary across regions, depending on the initiative and capacity of each institution. The lack of coordination between institutions such as the police, the prosecutor's office, the courts, probation offices, and rehabilitation institutions also weakens the effectiveness of diversion implementation.

These findings strengthen arguments in criminological theories such as Becker's labeling theory,²⁷ which states that a child's involvement in the formal criminal justice process may actually strengthen their identity as a criminal and increase the tendency for recidivism. Diversion, when implemented properly, should serve as a tool to prevent stigmatization and support rehabilitation. In the approach of children's rights criminology, the juvenile criminal justice system should focus on the comprehensive protection of children's rights, not only by keeping children away from punishment but also by providing space for psychosocial intervention, strengthening family roles, and ensuring dignified reintegration. Therefore, the suboptimal implementation of diversion not only violates the principle of the best interest of the child but also disregards the fundamental rights of the child as emphasized in the Convention on the Rights of the Child and national legal instruments.

The Potential Implementation of MST in the Juvenile Diversion Process

The potential implementation of diversion in Indonesia's juvenile justice system includes several key components. These are outlined as follows:

Figure 2. *The Potential Implementation of MST in the Juvenile Diversion Process*



Source: Optimized by the researcher with NVivo 12 Plus, 2025.

²⁶ Burke et al., "Prevalence of Mental Health Problems and Service Use among First-Time Juvenile Offenders"; Rinaldi and Yuliani, "Kondisi Psikososial Anak Yang Berkonflik Dengan Hukum Di Lembaga Pembinaan Khusus Anak Kelas Ii Kota Pangkal Pinang."

²⁷ Howard S. Becker, *Outsiders: Studies in the Sociology of Deviance* (Free Press Glencoe, 1963).

The NVivo coding process revealed five dominant thematic nodes underpinning MST's relevance to juvenile diversion: (1) holistic approach, (2) support child protection principles (3) recidivism reduction. (4) cross-sector collaboration (t) psychosocial support, these themes are elaborated as follows.

Although Multisystemic Therapy (MST) has been widely promoted as a comprehensive intervention for juvenile offending, empirical evidence regarding its effectiveness remains mixed. MST seeks to address the multiple ecological factors associated with delinquent behavior by intervening at the levels of the family, school, peer group, and community. However, while some studies have demonstrated reductions in antisocial behavior and recidivism, systematic reviews have found that its outcomes are not uniformly superior to those of other evidence-based interventions. These findings suggest that the success of MST is highly dependent on implementation quality, contextual conditions, and the strength of institutional support systems.²⁸ This approach aligns with the principle of child protection as mandated by the Juvenile Criminal Justice System Law, which emphasizes the importance of diverting children from formal judicial processes and minimizing the risk of stigmatization. By engaging the broader systems that influence the child, MST helps create an environment conducive to positive behavioral change while safeguarding the child's rights. Its effectiveness is further reflected in its capacity to reduce recidivism, as various international studies have demonstrated a significant decline in rates of juvenile reoffending.²⁹ This success is closely linked to enhanced cross-sector coordination a defining characteristic of MST that involves the active participation of the family, school, law enforcement, and social institutions in formulating comprehensive solutions. In addition, MST provides ongoing psychosocial support that ensures children receive long-term guidance after diversion, thereby strengthening the process of social reintegration and making it more sustainable. MST's direct engagement of family and community as agents of behavioral change further renders it particularly appropriate within the diversion framework.³⁰

²⁸ Anna Markham, "A Review Following Systematic Principles of Multisystemic Therapy for Antisocial Behavior in Adolescents Aged 10–17 Years," *Adolescent Research Review* 3, no. 1 (2018): 67–93, <https://doi.org/10.1007/s40894-017-0072-1>; Julia H. Littell et al., "Multisystemic Therapy for Social, Emotional, and Behavioural Problems in Youth Age 10 to 17: An Updated Systematic Review and Meta-Analysis," *Campbell Systematic Reviews* 17, no. 4 (2021), <https://doi.org/10.1002/cl2.1158>.

²⁹ Jessica J. Asscher et al., "Sustainability of the Effects of Multisystemic Therapy for Juvenile Delinquents in The Netherlands: Effects on Delinquency and Recidivism," *Journal of Experimental Criminology* 10, no. 2 (2014): 227–43, <https://doi.org/10.1007/s11292-013-9198-8>; Paul Boxer et al., "Effectiveness of Multisystemic Therapy for Gang-Involved Youth Offenders: One Year Follow-up Analysis of Recidivism Outcomes," *Children and Youth Services Review* 73 (2017): 107–12, <https://doi.org/10.1016/j.childyouth.2016.12.008>.

³⁰ Conroy et al., *The Long-Term Impact of Multisystemic Therapy: An Experiential Study of the Adolescent-Young Adult Life Transition*; J. Jethwa et al., "A Grounded Theory of Multisystemic Therapist Roles in Achieving Positive Outcomes for Young People and Families," *Journal of Family Therapy* (Law Department, School of Law and Social Sciences, Royal Holloway University of London, Egham, Surrey, TW20 0EX, United Kingdom) 43, no. 1 (2021): 124–42, <https://doi.org/10.1111/1467-6427.12287>.

The research results, which combine normative studies and empirical exploration in Riau Province, show that the implementation of MST in the diversion process has great potential to strengthen the rehabilitative approach in the juvenile criminal justice system in Indonesia. The diversion process, as currently carried out based on Law No. 11 of 2012, tends to be limited to administrative agreements between the offender and the victim, such as apologies or compensation. There have not been many systematic efforts addressing the root causes of juvenile delinquent behavior, such as family dysfunction, peer group pressure, or socio-economic factors.³¹ This limitation was confirmed during in-depth interviews conducted with investigators at the Pekanbaru Police Headquarters, where one investigator stated that the diversion process in practice often ends at the stage of signing an agreement between the parties, without any follow-up mechanism to ensure behavioral change in the child. *"We facilitate the meeting, the family apologizes, sometimes there is compensation, and then the case is closed. But we have no tools to monitor what happens to the child afterward,"* explained an investigator with more than ten years of experience handling juvenile cases.

Conceptually, MST offers a cross-system intervention based on Urie Bronfenbrenner's ecological systems theory, which explains that human behavior (in this case, a child) is the result of a complex interaction between the individual and their environment, including family, school, peers, and community.³² MST utilizes this framework to design intensive and integrated therapy, aimed at intervening in all layers that influence a child's behavior. This approach resonated strongly with the perspectives shared by social workers from the Riau Province Social Service Office (*Dinas Sosial Provinsi Riau*) during FGD sessions held in Pekanbaru. One senior social worker emphasized that children who return to the same dysfunctional family environment after diversion are highly likely to re-offend: *"The child comes home, but the problems at home are still the same parents fighting, no income, older siblings involved in crime. Without intervention at the family level, the diversion process is just a administrative formality."*

From a criminological perspective, the findings from the FGD indicate that many children in conflict with the law are exposed to criminogenic exposure from an early age. These influences include exposure to criminal behavior within the family or community, inadequate parental supervision, and peer associations that reinforce antisocial attitudes and behaviors. These findings are consistent with Sutherland's Differential Association Theory, which posits that criminal behavior is learned through interaction and communication within intimate social groups. Accordingly, delinquent behavior among children may develop through continuous exposure to definitions, values, and behavioral patterns that are favorable to law violation. Interviews conducted with three Children's

³¹ Sepin et al., "Optimizing the Role of Community Advisors in Assisting Juvenile Clients with Diversion at the Mandau Sector Police."

³² Urie Bronfenbrenner, *The Ecology of Human Development: Experiments by Nature and Design* (Harvard University Press, 1979); Tan and Fajardo, "Efficacy of Multisystemic Therapy in Youths Aged 10-17 with Severe Antisocial Behaviour and Emotional Disorders: Systematic Review."

Judges (*Hakim Anak*) at the Pekanbaru District Court further reinforced this pattern. One judge noted that the majority of juvenile cases brought before her court involved children who had been exposed to criminal behavior within their immediate social circle long before the offense was committed: *"In almost every case I handle, when I look at the background, the child has been surrounded by deviant behavior for years from family members, from the neighborhood, from friends. The offense is rarely spontaneous; it is the product of an environment that has been teaching the wrong lessons for a long time."* An FGD participant from the Riau Province Child Protection Commission (*KPAID Riau*) added that the absence of structured community-based intervention leaves a dangerous vacuum in the post-diversion period, during which the child remains fully exposed to the same criminogenic environment. Therefore, MST, which directly involves the family and community as targets for behavioral change, becomes not only relevant but urgently necessary in the diversion process as a mechanism that addresses root causes rather than merely managing their immediate consequences.

In addition, interviews with child psychologists and the head of the probation office (Kepala Balai Pemasyarakatan/BAPAS) in Pekanbaru revealed that the majority of children involved in the diversion process show signs of trauma, anxiety, and emotional regulation issues that have never been formally addressed within the existing diversion framework. A child psychologist affiliated with the Riau Province Regional General Hospital (Rumah Sakit Umum Daerah Provinsi Riau) who has handled referral cases from the juvenile justice system explained that psychological screening is almost never conducted as a standard procedure prior to or during the diversion process: *"When these children come to me, sometimes months after the diversion agreement has been signed, the psychological burden they carry is already quite severe. There is unresolved trauma from their family environment, there is shame, there is fear of social stigma, and in many cases, there are early symptoms of depression or conduct disorder. The system has processed them legally, but it has never looked at them psychologically."* This observation points to a fundamental gap in the current diversion model, which prioritizes legal settlement over holistic child welfare.

The head of the Pekanbaru Probation Office (Kepala BAPAS Pekanbaru) similarly noted that Community Research Reports (*Litmas*) submitted by probation officers frequently document psychological and familial risk factors in the child's background, yet these findings rarely translate into concrete intervention programs during or after diversion. *"We write in the Litmas that the child comes from a broken home, that there is a history of domestic violence, that the child has no emotional support system. But after the diversion agreement is reached, there is no structured program that follows up on those risk factors. The Litmas becomes a document that is read and then filed away,"* he stated. This systemic disconnect between assessment and intervention represents precisely the gap that MST is designed to fill. By deploying therapists who work directly within the child's natural environment including the home, the school, and the community MST ensures that the

psychological and social risk factors documented in assessments such as the Litmas are not merely recorded but actively targeted through evidence-based therapeutic strategies.

Furthermore, an FGD session involving probation officers (Pembimbing Kemasyarakatan) with varying years of field experience revealed a consistent pattern: children who exhibit unaddressed emotional dysregulation during the diversion period are significantly more likely to re-engage in antisocial behavior within twelve months of the diversion agreement. One probation officer with over fifteen years of field experience articulated this dynamic clearly: *"A child who cannot manage anger, who does not know how to respond to conflict without violence, who has never been taught healthy emotional expression that child will encounter the same triggering situations in the same environment and respond the same way. Diversion without psychological intervention is like treating a wound only on the surface while the infection continues underneath."* These empirical observations from practitioners on the ground collectively affirm that the integration of MST into the diversion process is not merely a theoretical proposition but a practical necessity, grounded in the lived realities of children in conflict with the law in Riau Province.

This phenomenon is consistent with John Bowlby's Attachment Theory, which posits that children who experience disrupted or insecure emotional bonds with their primary caregivers are at greater risk of engaging in deviant behavior. In this context, Multisystemic Therapy (MST) has the potential to improve family dynamics and strengthen caregiving functions as a core component of the intervention. The majority of law enforcement actors in Riau Province, including investigators, prosecutors, and juvenile judges, reported that the current diversion model remains suboptimal due to the absence of psychological assessments and post-diversion interventions. They expressed support for the integration of MST as a complementary approach that not only facilitates legal case resolution but also promotes more comprehensive rehabilitation for children.

Findings from in-depth interviews suggest that MST can be effectively adapted to the Indonesian legal system, provided that adequate supporting policies are established, particularly those concerning professional training and the development of cross-sector MST teams.

Document analysis further reveals the absence of a formal legal instrument explicitly regulating the application of systemic therapy-based interventions such as MST within the diversion framework.³³ Nevertheless, the core principles of MST are consistent with the provisions outlined in Articles 6 and 7 of the Juvenile Criminal Justice System Law, which emphasize rehabilitation, family involvement, and community participation in

³³ Robi'atul Adawiyah et al., "Sexual Violence Against Children: Prevention Efforts in Jambi," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 25, no. 2 (2025): 74–88, <https://doi.org/10.30631/alrisalah.v25i2.1495>.

addressing juvenile cases.³⁴ Evidence from global studies demonstrates that MST is effective in reducing juvenile recidivism and enhancing family capacity to manage at-risk behavior among children. Moreover, MST is often regarded as more effective than approaches such as Functional Family Therapy, as it is more intensive, individualized, and solution-oriented.³⁵

The integration of MST in the diversion process can also address criticisms of the juvenile criminal justice system in Indonesia, which is too procedural and does not fully consider the psychosocial aspects of children³⁶. In the context of Riau Province, field observations show that institutions such as the Correctional Institution and the Child Protection Agency³⁷ already have human resources that can be trained to collaboratively implement MST. This indicates that the potential for institutional and structural implementation of MST is quite open, although it requires policy support and additional resources. By combining criminology and psychology theories, MST is not only viewed as a clinical approach but also as a legal and social approach that can deeply address criminogenic causes. Within the framework of a just and rehabilitation-oriented juvenile criminal justice system, MST can become a key pillar in the reform of diversion in Indonesia.

1. Challenges of MST in the Juvenile Diversion Process in Indonesia

There are several significant challenges that affect the effectiveness and success of MST, including the following:

Figure 3. *Challenges of MST in the Juvenile Diversion Process in Indonesia*



Source: Optimized by the researcher with NVivo 12 Plus, 2025.

Figure 3 presents the results of thematic coding conducted using NVivo 12 Plus, which systematically mapped the key challenges identified from the qualitative data and

³⁴ Apripari et al., "Restorative Justice in Victimless Crimes under the Criminal Procedure Code: Problematics and Solutions," *Jurnal Hukum Novelty* 17, no. 1 (2026): 144–66, <https://doi.org/10.26555/jhn.v17i1.31003>.

³⁵ Stephen Butler et al., "A Randomized Controlled Trial of Multisystemic Therapy and a Statutory Therapeutic Intervention for Young Offenders," *Journal of the American Academy of Child and Adolescent Psychiatry* 50, no. 12 (2011): 1220–1235.e2, <https://doi.org/10.1016/j.jaac.2011.09.017>.

³⁶ Ghoni and Pujiyono, "Perlindungan Hukum Terhadap Anak Yang Berhadapan Dengan Hukum Melalui Implementasi Diversi Di Indonesia."

³⁷ Alendra Alendra et al., "Reformulating Criminal Law Policy on Child Perpetrators of Human Trafficking in Indonesia: A Child Victim-Offender Approach," *IJCLS (Indonesian Journal of Criminal Law Studies)* 11, no. 1 (2026): 317–64, <https://doi.org/10.15294/ijcls.v11i1.42124>.

literature review. The coding process generated several interconnected nodes representing barriers to the effective implementation of MST within Indonesia's juvenile diversion framework. Based on the NVivo analysis, the following challenges were identified as the most dominant themes:

1. Complex Administrative Procedures

The NVivo coding results suggest that complex administrative procedures constitute a significant barrier to MST implementation in Indonesia. The diversion process involves multiple institutions and extensive legal formalities, generating procedural bottlenecks that limit the responsiveness and flexibility required for effective MST delivery. Given that MST relies on rapid, intensive, and family-centered interventions conducted within the child's natural environment, such bureaucratic constraints may reduce its effectiveness and hinder its integration into the existing juvenile justice framework.

2. Coordination Between Institutions is Not Optimal

A second dominant node identified through the NVivo analysis concerns the suboptimal coordination among the institutions involved in the juvenile diversion process. Previous studies on juvenile justice governance in Indonesia have similarly identified weak inter-agency coordination and regulatory fragmentation as persistent barriers to effective diversion implementation.³⁸ MST is fundamentally a multi-systemic intervention that requires seamless collaboration between law enforcement, social welfare agencies, schools, and family units.³⁹ The absence of an effective inter-institutional coordination mechanism in Indonesia weakens the coherence of MST delivery and diminishes its overall impact.

3. Lack of Trained Personnel

The NVivo results further highlight a critical shortage of personnel with adequate training and competency in MST. As MST involves specialized therapeutic techniques requiring certified practitioners, the limited availability of qualified professionals in Indonesia particularly outside major cities poses a serious constraint on the program's scalability and fidelity of implementation.

4. Operational Regulatory Limitations

Another prominent node emerging from the coding analysis pertains to operational regulatory limitations.⁴⁰ The existing legal framework governing juvenile justice in Indonesia does not explicitly regulate or standardize MST as a

³⁸ Rinaldi, Kasmanto. "Model of Coaching for Juvenile Recidivism in Pekanbaru: A Social Reintegration Effort." *Jurnal Dinamika Hukum* 24.3 (2024): 360-386.

³⁹ Istislam Istislam et al., "Adaptive Environmental Governance Within a Legal Pluralism Framework: A Case Study of The Tengger Indigenous Community in Indonesia," *Jurisdictie: Jurnal Hukum Dan Syariah* 17, no. 1 (2026): 1-36, <https://doi.org/10.18860/j.v17i1.41228>.

⁴⁰ Weny Almoravid Dunga et al., "Ensuring Justice in the Trend of Remote Working: Legal Challenges and Implications for Companies and Workers," *Jurnal IUS Kajian Hukum Dan Keadilan* 14, no. 1 (2026): 201-27, <https://doi.org/10.29303/ius.v14i1.1721>.

recognized intervention model within the diversion process. This regulatory gap creates uncertainty regarding the authority, procedures, and accountability mechanisms necessary for consistent MST implementation across different jurisdictions.

5. Resistance from Certain Parties

Finally, the NVivo analysis identified resistance from certain parties as a recurring challenge. This resistance may emanate from various stakeholders, including law enforcement officers, judicial actors, or community members who are unfamiliar with or skeptical of therapeutic diversion models. Such resistance can undermine the acceptance and sustainability of MST-based interventions, particularly in contexts where punitive approaches to juvenile delinquency remain culturally entrenched.

As illustrated in Figure 3, the five thematic nodes generated through the NVivo 12 Plus coding process collectively highlight the structural, institutional, and cultural barriers that must be systematically addressed to enable the effective implementation of MST within Indonesia's juvenile diversion framework. Among these five challenges, complex administrative procedures stand out as the most structurally embedded barrier, as they operate at the very foundation of the diversion process itself. This challenge is not merely procedural in nature it reflects a systemic incompatibility between the rigid timeline of Indonesia's formal diversion mechanism and the intensive, flexible engagement that MST fundamentally requires.

The implementation of MST in several countries, including Indonesia, encounters obstacles at the initial stages, as complex administrative procedures impede its integration into diversion mechanisms⁴¹. This challenge was directly confirmed through interviews conducted with investigators and public prosecutors (Jaksa Penuntut Umum) in Pekanbaru, who acknowledged that the existing procedural framework governing diversion under Law No. 11 of 2012 leaves virtually no formal space for the inclusion of therapeutic interventions such as MST. *"The diversion procedure has a strict timeline we have thirty days to reach an agreement. Within that window, our focus is entirely on completing the administrative requirements: the meeting, the agreement document, the signatures. There is no provision in the procedure that allows us to pause and say, 'this child needs psychological intervention first,'"* explained one senior investigator from the Pekanbaru City Police (Polresta Pekanbaru). The rigidity of this procedural architecture

⁴¹ J. J. Asscher et al., "Implementing Randomized Experiments in Criminal Justice Settings: An Evaluation of Multi-Systemic Therapy in the Netherlands," *Journal of Experimental Criminology* (Faculty of Social Sciences, Research Centre Psychosocial Development in Context, Utrecht University, 3508 TC Utrecht, P. O. Box 80140, Netherlands) 3, no. 2 (2007): 113–29, <https://doi.org/10.1007/s11292-007-9028-y>; Wikan Sinatrio, "The Implementation of Diversion and Restorative Justice in the Juvenile Criminal Justice System in Indonesia," *Journal of Indonesian Legal Studies* 4, no. 1 (2019): 73–88, <https://doi.org/10.15294/jils.v4i01.23339>.

effectively forecloses the possibility of embedding rehabilitative programs within the diversion process at the institutional level.

This situation is compounded by inadequate inter-institutional coordination, as synergy among law enforcement agencies, social services, and the education sector remains insufficient⁴². An FGD session involving representatives from the Pekanbaru Police, the Riau Province Social Service Office, the Pekanbaru City Education Office (Dinas Pendidikan Kota Pekanbaru), and BAPAS revealed that while all parties acknowledged a shared responsibility toward children in conflict with the law, no formal coordination mechanism existed to translate that shared responsibility into joint action. "Each institution works within its own authority and its own program. The police handle the legal process, we handle social rehabilitation, the school handles academic continuity but there is no single table where all of us sit together to plan what happens to this specific child in an integrated way," admitted a representative from the Riau Province Social Service Office during the FGD. The absence of a structured multi-agency coordination platform means that the ecological, cross-system approach that MST demands remains structurally impossible under current institutional arrangements.

From a human resources perspective, there is a shortage of adequately trained personnel with the specific competencies required to implement MST professionally. Interviews with probation officers and social workers underscored the severity of this gap. The head of BAPAS Pekanbaru noted that while his officers are trained in the preparation of community research reports (*Litmas*) and basic counseling, none have received formal training in evidence-based therapeutic models such as MST: *"We are social science graduates, not clinical therapists. We understand the child's social background, but we are not equipped to conduct the kind of intensive, structured family therapy that MST requires. If MST were to be implemented tomorrow, we would not have the human resources to carry it out."* A child psychologist consulted during the research similarly observed that MST requires therapists with a very specific competency profile including skills in behavioral analysis, family systems therapy, and crisis intervention which are currently unavailable within the juvenile justice support ecosystem in Riau Province.

This situation is further exacerbated by regulatory limitations, as no formal technical guidelines clearly define the application of MST within the framework of the Juvenile Criminal Justice System Law.⁴³ A Children's Judge (*Hakim Anak*) at the Pekanbaru District Court articulated the legal vacuum with particular clarity: *"As a judge, I can recommend therapeutic interventions as part of a diversion agreement, but there is no regulatory basis that compels any institution to provide or fund that intervention. MST has no legal standing*

⁴² Yasmin Arinda Lubis et al., "Revitalising the Juvenile Criminal Justice System in Indonesia: A Comparative Study with International Law and Evaluation of Practice," *Journal of Ius Comparatum Law Studies* 1, no. 1 (2025): 48–62, <https://doi.org/https://doi.org/10.35586/jicls.v1i1.10829>.

⁴³ Subekti et al., *Implementation of Psychological Rehabilitation for Child Performers of Crime of Sexual Violence*, in *Proceedings of the International Conference for Democracy and National Resilience 2022 (ICDNR 2022)* (Atlantis Press SARL, 2023), <https://doi.org/10.2991/978-2-494069-75-6>.

in our system it exists in academic literature, but it does not exist in our legislation or in any ministerial regulation. Until it does, any effort to implement it will depend entirely on the goodwill of individual institutions rather than on a binding legal obligation." This regulatory absence not only limits implementation but also creates accountability gaps, as there is no legal mechanism to monitor compliance with therapeutic components of diversion agreements.

In addition, resistance from stakeholders who maintain punitive orientations constitutes a significant cultural and psychological barrier to reform. This resistance reflects a reluctance to move away from traditional punishment-based approaches toward a therapeutic and rehabilitative framework that emphasizes the recovery and reintegration of children in conflict with the law.⁴⁴ This form of institutional resistance was openly acknowledged during FGD sessions, where several law enforcement participants expressed skepticism toward approaches they perceived as insufficiently deterrent. One police officer with extensive experience in juvenile case handling stated candidly: *"I understand the theory rehabilitation, not punishment. But in practice, when a child commits a serious offense and we offer diversion, the community asks why the child is not being punished. There is social pressure. And honestly, some of us also feel that if there are no real consequences, the child will not take it seriously."* A representative from KPAID Riau who also participated in the FGD acknowledged this tension, noting that overcoming punitive attitudes requires not only policy change but sustained capacity-building and mindset transformation among all actors in the juvenile justice system: *"This is not just a matter of changing regulations. It is a matter of changing how people think about what justice means for a child. That kind of change takes time, it takes education, and it takes leadership from the top."* These compounding barriers procedural, coordinative, human resource-related, regulatory, and attitudinal collectively illustrate that the integration of MST into Indonesia's diversion framework demands a systemic and multi-layered reform strategy rather than isolated programmatic interventions.

Taken together, these multidimensional barriers spanning procedural rigidity, institutional fragmentation, human resource deficits, regulatory vacuums, and deeply entrenched punitive mindsets paint a sobering but instructive picture of the structural distance that currently separates Indonesia's juvenile diversion system from the MST-integrated model that both theory and empirical evidence recommend. Yet it is precisely the comprehensiveness of these challenges that makes the case for reform most compelling. The barriers identified are not insurmountable; rather, they are the predictable characteristics of a system that has not yet been deliberately designed to prioritize child rehabilitation over procedural compliance. What is required is not a minor adjustment at the margins of the existing framework, but a foundational

⁴⁴ Eva Nur Hopipah and Ulfiah, "The Significance of Pre-Marital Education and Post-Marital Counseling in Minimizing Divorce Rates," *Journal of Islamic Psychology and Behavioral Sciences* 3, no. 2 (2025): 78–90, <https://doi.org/10.61994/jipbs.v3i2.930>.

reimagining of how the diversion process understands its own purpose one that recognizes legal settlement not as the endpoint of justice, but as the beginning of a longer and more meaningful process of healing, restoration, and reintegration. The integration of MST into the diversion framework offers precisely this reorientation: a model that meets the child where they are, works within the systems that shaped their behavior, and commits to sustained intervention rather than administrative closure. In this sense, the challenges documented in Riau Province are not arguments against MST implementation they are arguments for it

Conclusion

This article demonstrates that Indonesia's juvenile diversion mechanism, as governed by Law No. 11 of 2012, has not functioned as a rehabilitative instrument but rather as a procedural settlement process. Field data collected from investigators and public prosecutors in Pekanbaru confirms that the thirty-day diversion window is consumed almost entirely by administrative requirements, leaving no institutional space for therapeutic engagement. This is not a failure of implementation alone it reflects a fundamental gap in legislative design, wherein the law contemplates agreement rather than behavioral intervention. The integration of MST into this framework presents a conceptually sound but institutionally demanding proposition. The NVivo-based thematic analysis identified five mutually reinforcing barriers complex administrative procedures, suboptimal inter-institutional coordination, lack of trained personnel, operational regulatory limitations, and resistance from certain parties that collectively prevent evidence-based intervention from taking root within the existing diversion structure. Addressing these barriers in isolation will yield only marginal progress; systemic reform is required.

On the basis of these findings, this article proposes three concrete policy directions. First, Article 8 of Law No. 11 of 2012 should be amended to formally recognize therapeutic behavioral intervention as a legally sanctioned component of diversion agreements, conditioned upon a prior psychosocial assessment of the child. Second, a national inter-agency coordination protocol should be established by joint ministerial decree, prescribing standardized screening instruments, defined practitioner roles, and a structured case management and reporting mechanism. Third, a national MST practitioner certification program should be developed under the Ministry of Social Affairs, incorporating a minimum 120-hour foundational training module, a six-month supervised practicum, and a continuing professional development requirement with priority deployment to high-caseload jurisdictions. These proposals collectively advance a reconceptualization of juvenile diversion in Indonesia: (1) legislative refinement, particularly the incorporation of therapeutic intervention models such as MST into the legal framework governing diversion; (2) development of inter-agency protocols that clearly define roles and coordination mechanisms between law enforcement, social workers, and rehabilitation providers; and (3) capacity-building programs, including

specialized training for practitioners on evidence-based, family-centered interventions. By repositioning diversion as a structured rehabilitative intervention understood here as a process aimed at behavioral change through addressing social and environmental determinants Indonesia's juvenile justice system can move beyond procedural compliance toward a more effective and sustainable model of child protection and crime prevention.

Acknowledgments

We would like to express our gratitude to the Ministry of Higher Education, Science, and Technology of Indonesia for funding this research through the Regular Fundamental Research Grant Scheme for the Year 2025, under the main contract No.: 0419/C3/DT.05.00/2025, sub-contract numbers No.: 138/C3/DT.05.00/PL/2025; 001/LL17/DT.05.00/PL/2025; 19/DPPM-UIR/HN-P/2025.

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