



Institutional Rehabilitation of Children in Conflict with the Law: A Study at UPT PRSMP Surabaya

Kezia Patricia Wahyudi¹



Maria Novita Apriyani²



¹Faculty of Law, Universitas Pembangunan Nasional “Veteran” Jawa Timur, Indonesia
22071010262@student.upnjatim.ac.id

²Faculty of Law, Universitas Pembangunan Nasional “Veteran” Jawa Timur, Indonesia
maria.ih@upnjatim.ac.id

ABSTRACT

The implementation of institutional rehabilitation for Children in Conflict with the Law (CCL) represents an important aspect of juvenile justice that emphasizes restorative justice, child protection, and social reintegration. This study aims to analyze the implementation of institutional rehabilitation for CCL at UPT Perlindungan dan Rehabilitasi Sosial Marsudi Putra (UPT PRSMP) Surabaya, particularly the relationship between the normative framework of the Juvenile Criminal Justice System (JCJS) Law and its institutional implementation, as well as the challenges affecting rehabilitation effectiveness. This research employs an empirical legal research method with a descriptive-analytical design using structural and interdisciplinary approaches. Data were obtained through interviews, observations, documentation, and literature studies, and were analyzed qualitatively by examining empirical findings in relation to applicable legal frameworks. The findings indicate that institutional rehabilitation at UPT PRSMP Surabaya has generally been implemented in accordance with the principles and objectives of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The rehabilitation process reflects a restorative and rehabilitative approach through stages of reception, assessment, intervention, termination, and aftercare guidance. However, legal conformity does not automatically ensure optimal effectiveness. The implementation of rehabilitation remains influenced by several factors, including the availability of facilities, rehabilitation personnel capacity, continuity of aftercare programs, and community acceptance. UPT PRSMP Surabaya has responded to these challenges through facility optimization, strengthening human resources, aftercare development, and stakeholder collaboration. This study contributes to juvenile justice scholarship by highlighting the importance of alignment between legal provisions, institutional capacity, and social support in achieving effective child rehabilitation.

ABSTRAK

Pelaksanaan rehabilitasi dalam lembaga bagi Anak yang Berhadapan dengan Hukum (ABH) merupakan bagian penting dalam sistem peradilan pidana anak yang menekankan pendekatan keadilan restoratif, perlindungan

ARTICLE HISTORY

Received: 2026-04-03
Revised: 2026-07-08
Publihsed: 2026-08-30

KEYWORDS

Children in Conflict with the Law; Institutional Rehabilitation; Juvenile Criminal Justice System; Social Rehabilitation; UPT PRSMP Surabaya.

KATA KUNCI

Anak yang Berhadapan dengan Hukum; Pembinaan dalam Lembaga; Sistem Peradilan Pidana Anak; UPT PRSMP Surabaya.

anak, dan reintegrasi sosial. Penelitian ini bertujuan untuk menganalisis pelaksanaan rehabilitasi dalam lembaga terhadap ABH di UPT Perlindungan dan Rehabilitasi Sosial Marsudi Putra (UPT PRSMP) Surabaya, khususnya terkait hubungan antara kerangka hukum Sistem Peradilan Pidana Anak (SPPA) dengan implementasinya pada tingkat kelembagaan serta faktor-faktor yang memengaruhi efektivitas pelaksanaannya. Penelitian ini menggunakan metode penelitian hukum empiris dengan desain deskriptif-analitis melalui pendekatan struktural dan interdisipliner. Data penelitian diperoleh melalui wawancara, observasi, dokumentasi, dan studi kepustakaan yang dianalisis secara kualitatif dengan menghubungkan temuan empiris dengan ketentuan hukum yang berlaku. Hasil penelitian menunjukkan bahwa pelaksanaan rehabilitasi dalam lembaga di UPT PRSMP Surabaya secara umum telah sesuai dengan prinsip dan tujuan Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak. Proses rehabilitasi dilaksanakan melalui tahapan penerimaan, asesmen, intervensi, terminasi, dan bimbingan lanjutan yang mencerminkan pendekatan restoratif dan rehabilitatif. Namun, kesesuaian dengan kerangka hukum belum sepenuhnya menjamin efektivitas pelaksanaan. Efektivitas rehabilitasi masih dipengaruhi oleh keterbatasan sarana prasarana, kapasitas sumber daya manusia, keberlanjutan bimbingan pascarehabilitasi, dan penerimaan masyarakat. UPT PRSMP Surabaya melakukan upaya melalui optimalisasi fasilitas, penguatan kapasitas petugas, pelaksanaan bimbingan lanjutan, serta kerja sama dengan berbagai pihak. Penelitian ini berkontribusi dalam kajian peradilan anak dengan menunjukkan pentingnya keselarasan antara norma hukum, kapasitas kelembagaan, dan dukungan sosial dalam mewujudkan rehabilitasi anak yang efektif.

A. INTRODUCTION

1. Background

Children are a vulnerable group whose rights require special protection within the legal system. The recognition of children's rights is reflected in Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which guarantees every child's right to survival, growth and development, and protection from violence and discrimination.¹ Furthermore, the Convention on the Rights of the Child (CRC), ratified by Indonesia through Presidential Decree Number 36 of 1990, establishes the principle of the best interests of the child as a fundamental consideration in every legal process involving children.²

¹ Herlinda Ragil Feby Carmela and Suryaningsi Suryaningsi, "Penegakan Hukum dalam Pendidikan dan Perlindungan Anak di Indonesia," *Nomos : Jurnal Penelitian Ilmu Hukum* 1, no. 2 (March 2021): 58–65, <https://doi.org/10.56393/nomos.v1i2.570>.

² Republic of Indonesia, *Law Number 11 of 2012 concerning the Juvenile Criminal Justice System*, State Gazette of the Republic of Indonesia No. 153 of 2012, Supplement to the State Gazette of the Republic of Indonesia No. 5332.

The protection of Children in Conflict with the Law (CCL) is further regulated through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (JCJS Law). Unlike the general criminal justice system that emphasizes punishment, the juvenile criminal justice system adopts a restorative and rehabilitative approach by prioritizing the recovery, development, and social reintegration of children.³ Therefore, the handling of CCL is not solely directed toward accountability for criminal acts but also toward ensuring that children are able to return and function appropriately within society.⁴

One of the important mechanisms in realizing this objective is institutional rehabilitation conducted through Social Welfare Institutions (SWIs). Based on the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 26 of 2018, rehabilitation services for CCL include social assistance, psychological support, educational services, character development, and preparation for social reintegration. The existence of rehabilitation institutions demonstrates that the implementation of juvenile justice requires not only adequate legal norms but also effective institutional capacity to translate these norms into practice.

One of the institutions responsible for implementing rehabilitation services is UPT Perlindungan dan Rehabilitasi Sosial Marsudi Putra (UPT PRSMP) Surabaya under the East Java Provincial Social Service. As an institution specifically handling CCL, UPT PRSMP Surabaya plays a strategic role in ensuring that children receive rehabilitation services in accordance with the objectives of the JCJS Law. The increasing number of children referred to this institution during 2021–2025 indicates the importance of evaluating how rehabilitation programs are implemented and whether they have achieved the objectives of child protection and social reintegration.

However, the implementation of institutional rehabilitation does not only depend on the existence of legal regulations. In practice, there may be differences between the normative framework established by legislation and its implementation at the institutional level. Issues related to the availability of professional social workers,

³ L. Abubakar et al., "Restorative Justice in Corporate Dispute Resolution as Business Actor in Indonesia," ... of Indonesian Legal ..., no. Query date: 2026-06-03 16:02:02 (2024), <https://journal.unnes.ac.id/journals/jils/article/view/4573>.

⁴ Laras Winarsih, Ridho Sa'dillah Ahmad, Indra Retnowati, Ganis Vitrayanty Noor, and Elvina Melinda, "Efektivitas Penegakan Hukum Pidana Anak Jalanan dalam Sistem Peradilan Pidana Anak Perspektif Humanis Restoratif," *Noblesse Oblige Law Journal* 2, no. 1 (2025): 215.

supervision mechanisms, institutional resources, and rehabilitation facilities remain important factors that may influence the effectiveness of rehabilitation services. Therefore, the central legal issue in this study is not merely whether rehabilitation programs have been implemented, but how far the implementation of institutional rehabilitation at UPT PRSMP Surabaya reflects the objectives, principles, and standards established within the juvenile justice system.

Previous studies conducted within the last three years have examined the rehabilitation of children in conflict with the law (CCL) from various perspectives. Naswandi and Ramailis focused on the experiences of violence encountered by children during institutional rehabilitation, employing a qualitative case-study approach to examine the experiences of individual children.⁵ Miftahurrahmah et al. subsequently emphasized the significance of social support in improving the psychosocial well-being of children throughout the rehabilitation process.⁶ Meanwhile, Subroto and Kurshita examined the role of Juvenile Correctional Institutions (LPKA) in facilitating rehabilitation and social reintegration, identifying limitations in human resources, societal stigma, and inter-institutional coordination as continuing obstacles.⁷ Another study by Ramadhan, Yunilisiah, and Bangsu evaluated the implementation of social rehabilitation under Minister of Social Affairs Regulation Number 26 of 2018 and found that, despite general conformity with the regulatory framework, constraints concerning budget, infrastructure, and institutional cooperation persisted.⁸

Despite these contributions, previous research has predominantly approached rehabilitation from psychological, social welfare, institutional-role, or specific regulatory perspectives. Limited attention has been given to empirically assessing institutional rehabilitation as an implementation of the broader juvenile criminal justice framework, particularly by examining whether rehabilitation practices within a provincial social

⁵ Afri Naswandi and Neri Widya Ramailis, "Perilaku Kekerasan Yang Dialami Oleh Anak Yang Berkonflik Dengan Hukum Dalam Masa Rehabilitasi Di Lembaga X (Studi Kasus Pada Anak R Dan K)," *Sisi Lain Realita* 8, no. 2 (2023): 47–52, <https://doi.org/10.25299/sisilainrealita.2023.18549>.

⁶ Miftahurrahmah et al., "Pengaruh Dukungan Sosial Terhadap Proses Rehabilitasi Anak Yang Berkonflik Dengan Hukum," *Jurnal Penelitian Multidisiplin Terpadu* 8, no. 6 (2024).

⁷ Mitro Subroto and Gema Akbar Kurshita, "Peran Lembaga Pembinaan Khusus Anak Dalam Rehabilitasi Anak Yang Berkonflik Dengan Hukum," *Jurnal Inovasi Hukum* 5, no. 4 (2024).

⁸ Rahmad Andre Ramadhan, Yunilisiah, and Tamrin Bangsu, "Implementasi Permensos No. 26 Tahun 2018 Tentang Rehabilitasi Sosial Anak Berhadapan Hukum (ABH) Dalam Memulihkan Keberfungsian Sosial ABH," *Mimbar: Jurnal Penelitian Sosial Dan Politik* 13, no. 2 (2024): 180–89, <https://doi.org/10.32663/4gtg8y19>.

rehabilitation institution correspond to the principles and objectives established by Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (JCJS Law). This gap is particularly relevant to UPT PRSMP Surabaya, where institutional practices provide an important setting for examining the relationship between statutory norms and the actual delivery of rehabilitation services.

Accordingly, the novelty of this study lies in its empirical legal examination of institutional rehabilitation at UPT PRSMP Surabaya by integrating three dimensions that have generally been addressed separately in previous studies: legal compliance with the JCJS Law, the institutional implementation of rehabilitation, and the practical barriers affecting the realization of restorative justice, child protection, and social reintegration. Rather than merely describing rehabilitation programs or their psychosocial effects, this study evaluates the extent to which the normative requirements of the juvenile justice system are translated into institutional practice and identifies the gap between law in the books and law in action. Therefore, this study aims to analyze the implementation of institutional rehabilitation for CCL at UPT PRSMP Surabaya within the framework of the JCJS Law and to identify the legal and practical challenges affecting its effectiveness, with a view to formulating improvements for a more rights-based, restorative, and reintegrative rehabilitation framework.

This study contributes to the existing literature by examining institutional rehabilitation of Children in Conflict with the Law through an empirical legal perspective that connects normative legal provisions with their implementation in practice. Unlike previous studies that primarily discuss juvenile justice from a conceptual or regulatory perspective, this research focuses on how rehabilitation principles under the Juvenile Criminal Justice System Law are operationalized within a government social welfare institution. The novelty of this research lies in its analysis of UPT PRSMP Surabaya as an institutional actor responsible for translating juvenile justice principles into concrete rehabilitation practices. By examining both the implementation process and the challenges encountered, this study provides an understanding of the extent to which institutional rehabilitation fulfills the objectives of restorative justice, child protection, and social reintegration. Therefore, this research is expected to contribute to the development of legal scholarship regarding juvenile justice implementation, particularly in evaluating the effectiveness of rehabilitation institutions for Children in Conflict with

the Law.

2. Research Questions

This study is guided by two primary research questions concerning the implementation of institutional rehabilitation for CCL at UPT PRSMP Surabaya. First, it examines the extent to which institutional rehabilitation has been implemented in accordance with the framework established under the JCJS Law. Second, it analyzes the legal and practical challenges encountered in the implementation of institutional rehabilitation and explores appropriate measures to address these challenges in order to enhance the effectiveness and quality of rehabilitation services at UPT PRSMP Surabaya.

3. Research Methods

This study employs an empirical legal research method with a descriptive-analytical design. Empirical legal research is used to examine the implementation of legal norms governing institutional rehabilitation for Children in Conflict with the Law (CCL) within the practice of rehabilitation institutions.⁹ This approach allows the study to analyze the relationship between the normative framework established under Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (JCJS Law) and its implementation at UPT PRSMP Surabaya. This research applies a structural approach and an interdisciplinary approach. The structural approach is used to examine the institutional role of UPT PRSMP Surabaya as a Social Welfare Institution responsible for implementing rehabilitation services for CCL, including institutional authority, rehabilitation mechanisms, and the availability of supporting resources. Meanwhile, the interdisciplinary approach is applied by integrating legal, social welfare, and child protection perspectives to obtain a comprehensive understanding of the rehabilitation process and the challenges encountered during its implementation.¹⁰

The research was conducted at UPT Perlindungan dan Rehabilitasi Sosial Marsudi

⁹ SL Gaol and D. Hendrawan, "Pertanggungjawaban Pidana Pelaku Kekerasan Seksual Anak Di Pesantren Berdasarkan UU TPKS Dan UU Perlindungan Anak," *Acta Juris Review*, no. Query date: 2026-05-05 23:37:38 (2026), <https://journal.megasula.com/index.php/acta-juris-review/article/view/24>.

¹⁰ Irwansyah, *Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel* (Yogyakarta: Mirra Buana Media2021), 176.

Putra (UPT PRSMP) Surabaya, an institution under the East Java Provincial Social Service responsible for providing institutional rehabilitation services for CCL within the juvenile justice system. Using primary and secondary data, the study employed interviews and observations involving institutional personnel directly engaged in rehabilitation programs, complemented by statutory regulations, official documents, books, scholarly journals, and other relevant legal materials. Data were collected through interviews, observation, literature review, and documentation and analyzed using qualitative descriptive analysis by relating empirical findings to the applicable legal framework.¹¹ The analysis examines the implementation of institutional rehabilitation, institutional responsibilities, supporting factors and challenges, and the extent to which existing practices reflect the objectives and principles of the JCJS Law, particularly restorative justice, child protection, and social reintegration, while identifying factors that influence the effectiveness of rehabilitation services for CCL.

B. DISCUSSION/ ANALYSIS

1. Implementation of Institutional Rehabilitation for CCL at UPT PRSMP Surabaya

The implementation of institutional rehabilitation for Children in Conflict with the Law (CCL) at UPT PRSMP Surabaya represents an institutional mechanism for realizing the rehabilitative objectives of the Juvenile Criminal Justice System (JCJS). Under Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, the handling of children involved in criminal cases is not solely oriented toward imposing sanctions but also emphasizes recovery, protection, and social reintegration.¹² Therefore, rehabilitation institutions play an essential role in ensuring that children receive services that support their physical, psychological, educational, and social development.

UPT PRSMP Surabaya, as a Social Welfare Institution under the authority of the East Java Provincial Social Service, functions as an institution that provides rehabilitation services for CCL. The institution is responsible for preparing rehabilitation programs, implementing child reintegration procedures, providing social services, and

¹¹ J. R. Berkovitz, "Reconsidering Early Modern Jewry: Reflections on the Methodology of Legal History," *Jewish History* 37, nos. 3–4 (2024): 209–57, Scopus, <https://doi.org/10.1007/s10835-024-09460-6>.

¹² B. Budiyo, S. Wahyudi, and ..., "Kompatibilitas Restorative Justice Dengan Nilai-Nilai Pancasila Dalam Sistem Peradilan Pidana Anak," *Pancasila: Jurnal ...*, no. Query date: 2026-05-10 19:33:40 (2024), <https://ejurnalpancasila.bpip.go.id/index.php/PJK/article/view/444>.

conducting monitoring and evaluation of rehabilitation activities. The existence of UPT PRSMP Surabaya reflects the institutional implementation of the state's obligation to provide special protection for children involved in the criminal justice process.

The rehabilitation process at UPT PRSMP Surabaya is implemented through several stages, namely reception, assessment of problems and needs, intervention, termination, and aftercare guidance.¹³ These stages demonstrate that rehabilitation is designed as a continuous process rather than a temporary intervention during the child's legal process.

a. Implementation of Institutional Rehabilitation for CCL at UPT PRSMP Surabaya

UPT PRSMP Surabaya is a social welfare institution established by the regional government and operates under the authority of the East Java Provincial Social Service. In carrying out its functions, UPT PRSMP Surabaya is responsible for:¹⁴

- 1) Preparing institutional programs and operational plans;
- 2) Implementing procedures for the reintegration of children who have been declared psychosocially recovered, as well as handling children who have completed their legal obligations;
- 3) Conducting administrative services, public services, monitoring, performance evaluation, reporting, and other duties assigned by the Head of the Social Service.

The rehabilitation process at UPT PRSMP Surabaya consists of several stages as follows:¹⁵

1) Reception and Assessment Stage.

The rehabilitation process begins with the reception stage, which includes the admission of children, case identification, registration, approval of service agreements, and physical and psychological examinations. During this stage, the referring institution formally transfers the child to UPT

¹³ Satya Dharma, "PENERAPAN DIVERSI DALAM SISTEM PERADILAN PIDANA ANAK DALAM MEWUJUDKAN KEADILAN RESTORATIF (RESTORATIVE JUSTICE) DITINJAU DARI PERSPEKTIF SOSIOLOGI HUKUM," *Restorative Justice* 5, no. 2 (2022).

¹⁴ Dinas Sosial Provinsi Jawa Timur, "Profil UPT," accessed May 4, 2026, <https://dinsos.jatimprov.go.id/profil/upt/show/30>.

¹⁵ Pratiwi, interview by author, April 27, 2026.

PRSMP Surabaya together with the required administrative documents according to the child's legal status. Administrative requirements vary depending on the position and legal status of each child within the criminal justice process. In addition, initial assessments of physical health, medical conditions, and psychological well-being are conducted to obtain a comprehensive understanding of the child's condition.

2) Intervention Stage.

The intervention stage represents the core implementation of institutional rehabilitation. At this stage, children participate in various programs designed to support behavioural improvement, psychological recovery, education, religious development, and vocational skills. The rehabilitation period generally ranges from three to six months depending on the child's legal status and rehabilitation needs. The implementation of these programs demonstrates that UPT PRSMP Surabaya has attempted to translate the concept of restorative justice into institutional practice. Rehabilitation activities such as counselling, education, spiritual guidance, physical development, and vocational training indicate that the institution does not view children solely from a criminal perspective but as individuals who require support for personal development and future reintegration. The provision of vocational training, including hair-cutting training, handicraft entrepreneurship, and music programs, also reflects an effort to strengthen children's independence after completing rehabilitation. However, the effectiveness of these programs cannot only be measured by the availability of activities but also by their sustainability after children return to their families and communities. Therefore, post-rehabilitation support becomes an important factor in determining whether rehabilitation objectives can be achieved.

3) Fulfillment of Children's Rights During Rehabilitation.

In addition to rehabilitation programs, UPT PRSMP Surabaya also provides services aimed at fulfilling children's basic rights during the rehabilitation process. These include access to education, healthcare services, adequate rest, recreational activities, and religious activities. The fulfillment of these

rights indicates that rehabilitation at UPT PRSMP Surabaya is aligned with the child protection principle within the juvenile justice system. The rehabilitation process is not merely directed toward behavioural correction but also toward ensuring that children continue to receive their fundamental rights despite being involved in legal proceedings. Nevertheless, the implementation of rights-based rehabilitation requires continuous evaluation, particularly regarding the adequacy of institutional resources. The fulfillment of children's rights depends not only on institutional commitment but also on the availability of qualified human resources, facilities, and sustainable rehabilitation mechanisms.

4) Termination and Aftercare Guidance.

The termination stage marks the completion of the rehabilitation process, while aftercare guidance functions as a mechanism to support children's reintegration into society. During the aftercare stage, UPT PRSMP Surabaya continues coordination with families, village authorities, and community stakeholders through monitoring and follow-up assistance. This stage is important because the success of rehabilitation cannot be assessed only during institutional care. The ultimate objective of juvenile rehabilitation is the child's ability to return and function positively within society. Therefore, aftercare guidance represents a crucial element in preventing stigma, supporting social acceptance, and reducing the possibility of repeated involvement in criminal behaviour. Based on the findings, the implementation of institutional rehabilitation at UPT PRSMP Surabaya generally reflects the principles established in the JCJS Law, particularly the principles of restorative justice, child protection, and social reintegration. However, implementation effectiveness remains influenced by institutional capacity and external factors, meaning that legal compliance alone does not automatically guarantee optimal rehabilitation outcomes.¹⁶

b. Analysis of the Implementation of Institutional Rehabilitation for CCL at UPT PRSMP Surabaya

¹⁶Pratiwi, interview by author, April 27, 2026.

The implementation of institutional rehabilitation for Children in Conflict with the Law (CCL) at UPT PRSMP Surabaya demonstrates that the institution has attempted to implement the principles established under the Juvenile Criminal Justice System (JCJS) Law. The rehabilitation process is carried out through various programs that emphasize recovery, behavioural development, education, psychological assistance, and social reintegration. These practices indicate that UPT PRSMP Surabaya has shifted the handling of CCL from a punitive-oriented approach toward a rehabilitative and restorative approach.¹⁷

From the perspective of legal substance, the implementation of rehabilitation at UPT PRSMP Surabaya has a strong normative foundation.¹⁸ The institution carries out rehabilitation services based on Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Presidential Decree Number 36 of 1990 concerning the ratification of the Convention on the Rights of the Child, and the Regulation of the Minister of Social Affairs Number 26 of 2018 concerning Social Rehabilitation for Children in Conflict with the Law.¹⁹ These regulations provide the legal basis for ensuring that children receive protection, assistance, and rehabilitation services throughout the rehabilitation process.²⁰

However, the existence of a comprehensive legal framework does not automatically guarantee that rehabilitation objectives can be achieved optimally. In empirical legal studies, the effectiveness of law is determined not only by the availability of legal norms but also by how these norms are implemented by institutions and accepted within society. Therefore, the implementation of rehabilitation at UPT PRSMP Surabaya must be assessed by examining the interaction between legal regulations, institutional capacity, and social conditions surrounding the child.

¹⁷ Maya Shafira et al., *Hukum Pemasyarakatan dan Penitensier* (Bandarlampung: Pusaka Media, 2022), 103.

¹⁸ N. Bawembang and K. Wowor, "Enforcement of Constitutional Rights through Constitutional Complaint as an Embodiment of the Law State," *Gema Wiralodra*, no. Query date: 2026-05-25 15:01:38 (2023), <https://gemawiralodra.unwir.ac.id/index.php/gemawiralodra/article/view/496>.

¹⁹ Ismail Adha, Rio Bayu Riansyah Harahap, and Fauziah Lubis, "Peranan Advokat Dalam Sistem Peradilan Pidana di Indonesia," *El-Mujtama: Jurnal Pengabdian Masyarakat* 3, no. 3 (February 2023): 746–52, <https://doi.org/10.47467/elmujtama.v3i3.2932>.

²⁰ Maria Novita Apriyani, Miko Aditya Suharto, and Achmad Khozin Baharudin, "Access to Justice Bagi Anak Korban Tindak Pidana Kekerasan Seksual," *Gorontalo Law Review* 7, no. 2 (2024): 487, <https://doi.org/10.32662/golrev.v7i2.3732>.

The rehabilitation practices at UPT PRSMP Surabaya reflect the application of the principle of the best interests of the child. Children are provided with a child-friendly environment and continue to receive access to education, healthcare services, psychological assistance, religious guidance, and vocational training according to their individual needs. This demonstrates that rehabilitation is not merely intended to correct children's behaviour but also to restore their social functions and prepare them for reintegration into society.²¹

Nevertheless, the implementation of child-oriented rehabilitation still faces several challenges. The effectiveness of rehabilitation depends on the extent to which institutional programs are able to produce sustainable changes in children's behaviour and social adaptation after leaving the institution. Therefore, rehabilitation outcomes cannot only be measured through the completion of institutional programs but must also consider the continuity of assistance, family support, and community acceptance.

Based on the analysis of institutional rehabilitation implementation, several factors influence the effectiveness of rehabilitation services at UPT PRSMP Surabaya:²²

1) Legal Framework

The legal framework provides the foundation for implementing rehabilitation programs for CCL. The existence of the JCJS Law and social rehabilitation regulations provides clear guidance regarding the obligation to protect and rehabilitate children involved in criminal cases. In this aspect, UPT PRSMP Surabaya has implemented rehabilitation programs based on applicable legal standards. However, the existence of regulations also requires effective implementation mechanisms. Legal provisions regarding rehabilitation must be supported by operational standards that are capable of responding to the specific needs of each child. Therefore, the challenge is not only related to the availability of legal rules but also how these rules are translated into effective institutional practices.

²¹ Putri Dzahra Fatiha Anwar Sidiq, "Penerapan Sanksi Pidana Terhadap Anak Yang Berkonflik Dengan Hukum Berdasarkan Undang-Undang Sistem Peradilan Pidana Anak," *Jurnal Risalah Kenotariatan* 5, no. 2 (July 2024): 13.

²² Soerjono Soekanto, *Efektivitas Hukum dan Peranan Sanksi* (Bandung: Remadja Karya CV, 1985), 80.

2) Community Acceptance

Community acceptance is an important factor in determining the success of child rehabilitation. Based on the research findings, children who have completed rehabilitation generally receive opportunities to return and participate in their social environment without experiencing significant rejection or stigma. This condition supports the process of social reintegration. Nevertheless, community acceptance remains an aspect that requires continuous strengthening. The rehabilitative approach in juvenile justice may still face challenges due to the existence of public perceptions that children who commit crimes should receive punishment rather than rehabilitation. Therefore, increasing public understanding regarding the objectives of juvenile rehabilitation remains necessary.

3) Cultural Perspectives

Cultural perspectives influence how society views children involved in criminal cases. Some members of society continue to associate criminal behaviour with moral failure and believe that punishment is the primary solution. Such perspectives may create barriers to the implementation of restorative justice.²³ In this context, rehabilitation programs must be accompanied by efforts to change social perceptions. The success of institutional rehabilitation depends not only on improvements within the child but also on the readiness of society to accept children as individuals who have the capacity to change.

4) Institutional Performance

Institutional performance is another important factor affecting rehabilitation effectiveness. The implementation of rehabilitation involves various actors, including social workers, counselors, educators, child facilitators, and other officers responsible for providing assistance. The availability of rehabilitation personnel indicates institutional commitment to fulfilling legal obligations. However, the quality of rehabilitation services remains dependent on whether

²³ Rika Saraswati, Marcella E. Simandjuntak, Petrus Soerjowinoto, Emanuel Boputra, and Emilia M. K. Wijaya, "Evaluasi Penerapan Diversi dan Restorative Justice 12 Tahun Berlakunya UU SPPA," *Jurnal Jendela Hukum* 12, no. 1 (2025): 21, <https://doi.org/10.24929/jjh.v12i1.4215>

human resources are sufficient to provide individualized assistance according to each child's condition and needs.

5) Supporting Facilities and Infrastructure

Facilities and infrastructure are supporting elements that determine the quality of rehabilitation implementation. Although UPT PRSMP Surabaya has provided rehabilitation facilities, continuous improvement remains necessary to ensure that institutional services can accommodate the increasing number of children requiring rehabilitation. Limited facilities may affect the effectiveness of rehabilitation because the rehabilitation environment is an important component in supporting children's psychological recovery and personal development. Therefore, improving institutional facilities should be viewed as part of fulfilling the state's obligation to provide effective child protection.

2. Challenges and Efforts in the Implementation of Institutional Rehabilitation for CCL at UPT PRSMP Surabaya

Although the implementation of institutional rehabilitation at UPT PRSMP Surabaya has generally been carried out in accordance with the legal framework governing juvenile justice, several challenges remain that may affect the effectiveness of rehabilitation services.²⁴ These challenges indicate that the achievement of rehabilitation objectives does not only depend on the existence of legal provisions but also on institutional capacity, supporting resources, and the ability of rehabilitation programs to respond to the specific needs of CCL. Nevertheless, several factors continue to affect the effectiveness of rehabilitation programs, including:²⁵

- 1) Legal Framework
- 2) Community Acceptance
- 3) Cultural Perspectives
- 4) Institutional Performance
- 5) Supporting Facilities and Infrastructure

²⁴ Rahma Destia, Rumzi Samin, and Ramadhani Setiawan, "Implementasi Program Rehabilitasi Penyalahgunaan Narkoba Di BNN Kota Tanjungpinang Kepulauan Riau," *Perkara : Jurnal Ilmu Hukum dan Politik* 1, no. 3 (2023).

²⁵ Soekanto, *Efektivitas Hukum dan Peranan Sanksi*, 80.

a. Challenges in the Implementation of Institutional Rehabilitation for CCL at UPT PRSMP Surabaya

Several challenges were identified as affecting the effectiveness of institutional rehabilitation programs at UPT PRSMP Surabaya, including:

1) Limited Rehabilitation Facilities and Infrastructure

One of the challenges identified in the implementation of institutional rehabilitation at UPT PRSMP Surabaya relates to the availability and condition of rehabilitation facilities and infrastructure. The research findings indicate that several facilities have not yet been utilized optimally due to conditions requiring improvement, including buildings that have not been renovated and are therefore unable to support rehabilitation activities effectively. From a legal perspective, the limitation of facilities has implications for the achievement of rehabilitation objectives under the Juvenile Criminal Justice System (JCJS) Law. Rehabilitation is not merely an administrative process but a mechanism aimed at restoring children's social functions through a supportive environment. Therefore, inadequate facilities may affect the quality of services provided, particularly in relation to psychological recovery, educational development, and vocational preparation. The existence of adequate facilities is an important component in ensuring that rehabilitation is implemented in accordance with the principle of the best interests of the child. A rehabilitation institution must provide an environment that supports children's recovery rather than merely functioning as a place for temporary placement. Thus, improving infrastructure is not only a matter of institutional development but also part of fulfilling the state's responsibility to guarantee effective child protection.

2) Limited Number of Rehabilitation Officers and Professional Social Workers

Another challenge identified in the implementation of rehabilitation programs is the limitation of human resources, particularly rehabilitation officers and professional social workers. The rehabilitation process for CCL requires continuous assistance because children involved in criminal cases often have different psychological, social, and educational backgrounds that require individualized intervention. The availability of professional personnel is

closely related to the effectiveness of rehabilitation implementation. Although UPT PRSMP Surabaya has officers responsible for providing guidance, supervision, and assistance, the increasing need for rehabilitation services requires adequate human resources to ensure that every child receives optimal attention. From the perspective of legal implementation, this condition demonstrates that the fulfillment of legal obligations regarding rehabilitation requires more than regulatory compliance. The existence of regulations mandating rehabilitation services must be supported by sufficient institutional capacity. Without adequate human resources, rehabilitation programs have the potential to become standardized services that are unable to fully accommodate the individual needs of each child. Therefore, strengthening the capacity and availability of rehabilitation personnel becomes an important factor in ensuring that the rehabilitative approach under the JCJS Law can be implemented effectively.

3) Challenges in Maintaining Sustainable Social Reintegration

Another important challenge in institutional rehabilitation is ensuring the sustainability of rehabilitation outcomes after children leave the institution. Although UPT PRSMP Surabaya has implemented aftercare guidance through coordination with families, village authorities, and community stakeholders, the success of rehabilitation is also influenced by external factors beyond institutional control. Children who have completed rehabilitation may still face social challenges, such as negative perceptions, limited opportunities, or difficulties in readapting to their previous environment. Therefore, institutional rehabilitation cannot be viewed as ending when the child completes the program, because the ultimate objective of juvenile justice is successful reintegration into society. This condition demonstrates that rehabilitation requires cooperation between institutions, families, and communities. The effectiveness of rehabilitation depends not only on improvements achieved during institutional care but also on whether the social environment provides sufficient support for children to continue their development.

4) Regulatory and Implementation Gaps

The implementation of institutional rehabilitation also shows that there may be differences between legal expectations and practical implementation. Although the JCJS Law and social rehabilitation regulations provide the normative foundation for protecting and rehabilitating CCL, practical implementation still depends on institutional readiness and supporting conditions. The existence of challenges related to facilities, human resources, and social reintegration indicates that legal norms alone are insufficient to guarantee effective rehabilitation. The effectiveness of juvenile justice implementation requires consistency between legal substance, institutional structure, and implementation practices. Therefore, the challenges faced by UPT PRSMP Surabaya should not be interpreted as failures of rehabilitation implementation but as indicators that institutional strengthening is still required to achieve the objectives of restorative justice and child protection.

b. Efforts to Address the Challenges in the Implementation of Institutional Rehabilitation for CCL at UPT PRSMP Surabaya

Addressing the challenges identified above requires comprehensive and sustainable measures involving both institutional improvement and regulatory reform, including:

1) Optimization of Rehabilitation Facilities and Infrastructure

In response to limitations related to rehabilitation facilities and infrastructure, UPT PRSMP Surabaya has attempted to optimize the use of existing facilities to support rehabilitation activities. The availability of appropriate facilities is considered an important element because rehabilitation requires an environment that supports children's psychological recovery, education, behavioural development, and social adjustment. The improvement and optimization of facilities demonstrate that institutional rehabilitation is not only dependent on the existence of rehabilitation programs but also on the supporting conditions that enable those programs to operate effectively. In the context of juvenile justice, adequate facilities represent part of the state's obligation to ensure that children receive appropriate treatment based on their developmental needs. However, facility optimization must be accompanied by continuous improvement and maintenance. This is because

rehabilitation institutions are required to provide long-term services that are capable of accommodating the increasing number and diverse characteristics of CCL. Therefore, strengthening infrastructure remains an ongoing effort to ensure that rehabilitation objectives can be achieved effectively.

2) Strengthening the Capacity and Role of Rehabilitation Personnel

To address limitations related to human resources, UPT PRSMP Surabaya has made efforts to strengthen the capacity of officers involved in rehabilitation services. Rehabilitation for CCL requires not only administrative management but also professional assistance involving social, psychological, educational, and behavioural aspects. The involvement of social workers, counselors, educators, and child facilitators reflects the importance of a multidisciplinary approach in implementing child rehabilitation. These actors have a strategic role in ensuring that rehabilitation programs are adjusted to the specific conditions and needs of each child. From the perspective of legal implementation, strengthening human resources is an effort to bridge the gap between normative obligations and institutional practice. The existence of legal provisions requiring rehabilitation services must be supported by competent personnel who are able to implement these provisions effectively. Therefore, improving the quality and capacity of rehabilitation officers is not only an institutional necessity but also an important component in realizing the rehabilitative objectives of the juvenile justice system.

3) Strengthening Aftercare and Social Reintegration Mechanisms

In addressing challenges related to the sustainability of rehabilitation outcomes, UPT PRSMP Surabaya continues to implement aftercare guidance as part of the rehabilitation process. Aftercare is conducted through coordination with families, village authorities, and community stakeholders to support children's return to society. This effort demonstrates that rehabilitation is understood as a continuous process that does not end when children complete institutional programs. The involvement of external parties is necessary because successful reintegration depends on the ability of families and communities to provide support and acceptance. From a restorative justice perspective, aftercare guidance reflects an effort to restore the relationship

between children and their social environment. The child is not only prepared to avoid repeated criminal behaviour but also supported to rebuild a positive identity within society.

4) Strengthening Institutional Coordination and Collaboration

Another effort undertaken by UPT PRSMP Surabaya is strengthening cooperation with various stakeholders involved in the rehabilitation process. The implementation of rehabilitation requires collaboration between institutional actors, families, government agencies, and community elements. The involvement of external institutions, including government agencies, educational institutions, health services, and community organizations, shows that rehabilitation of CCL cannot be carried out solely by one institution. Collaboration is necessary to provide comprehensive services that address children's legal, social, educational, and psychological needs. This collaborative approach is consistent with the nature of juvenile justice, which places rehabilitation as a shared responsibility. Therefore, strengthening institutional networks becomes an important strategy to overcome limitations within the institution and improve the effectiveness of rehabilitation services.

C. CONCLUSIONS

This study shows that the implementation of institutional rehabilitation for Children in Conflict with the Law (CCL) at UPT PRSMP Surabaya has generally been carried out in accordance with the principles and objectives of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (JCJS Law). The rehabilitation process reflects a restorative and rehabilitative approach through various stages, including reception, assessment, intervention, termination, and aftercare guidance, which aim to support children's recovery, development, and social reintegration. However, the implementation of rehabilitation has not yet achieved optimal effectiveness. The findings indicate that rehabilitation outcomes are influenced by several factors, including the availability of facilities, the capacity of rehabilitation personnel, the continuity of aftercare programs, and community acceptance. Therefore, legal compliance alone is insufficient to guarantee effective rehabilitation without adequate institutional capacity and social support. To address these challenges, UPT PRSMP Surabaya has undertaken

efforts through the optimization of facilities, strengthening of rehabilitation personnel capacity, implementation of aftercare guidance, and collaboration with relevant stakeholders. This research contributes to juvenile justice studies by demonstrating the relationship between the normative framework of child rehabilitation and its implementation within a government social welfare institution, emphasizing that effective rehabilitation requires alignment between legal provisions, institutional capacity, and community support.

REFERENCES

- Abubakar, L., et al. "Restorative Justice in Corporate Dispute Resolution as Business Actor in Indonesia." *Journal of Indonesian Legal Studies* (2024). <https://journal.unnes.ac.id/journals/jils/article/view/4573>.
- Adha, Ismail, Rio Bayu Riansyah Harahap, and Fauziah Lubis. "Peranan Advokat Dalam Sistem Peradilan Pidana di Indonesia." *El-Mujtama: Jurnal Pengabdian Masyarakat* 3, no. 3 (2023): 746–52. <https://doi.org/10.47467/elmujtama.v3i3.2932>.
- Apriyani, Maria Novita, Miko Aditya Suharto, and Achmad Khozin Baharudin. "Access to Justice Bagi Anak Korban Tindak Pidana Kekerasan Seksual." *Gorontalo Law Review* 7, no. 2 (2024): 487. <https://doi.org/10.32662/golrev.v7i2.3732>.
- Bawembang, N., and K. Wowor. "Enforcement of Constitutional Rights through Constitutional Complaint as an Embodiment of the Law State." *Gema Wiralodra* (2023). <https://gemawiralodra.unwir.ac.id/index.php/gemawiralodra/article/view/496>.
- Berkovitz, J. R. "Reconsidering Early Modern Jewry: Reflections on the Methodology of Legal History." *Jewish History* 37, nos. 3–4 (2024): 209–57. <https://doi.org/10.1007/s10835-024-09460-6>.
- Budiyono, B., S. Wahyudi, et al. "Kompatibilitas Restorative Justice dengan Nilai-Nilai Pancasila dalam Sistem Peradilan Pidana Anak." *Pancasila: Jurnal Keindonesiaan* (2024). <https://ejurnalpancasila.bpip.go.id/index.php/PJK/article/view/444>.
- Carmela, Herlinda Ragil Feby, and Suryaningsi Suryaningsi. "Penegakan Hukum dalam Pendidikan dan Perlindungan Anak di Indonesia." *Nomos: Jurnal Penelitian Ilmu Hukum* 1, no. 2 (2021): 58–65. <https://doi.org/10.56393/nomos.v1i2.570>.
- Destia, Rahma, Rumzi Samin, and Ramadhani Setiawan. "Implementasi Program

- Rehabilitasi Penyalahgunaan Narkoba di BNN Kota Tanjungpinang Kepulauan Riau." *Perkara: Jurnal Ilmu Hukum dan Politik* 1, no. 3 (2023).
- Dharma, Satya. "Penerapan Diversi dalam Sistem Peradilan Pidana Anak dalam Mewujudkan Keadilan Restoratif (Restorative Justice) Ditinjau dari Perspektif Sosiologi Hukum." *Restorative Justice* 5, no. 2 (2022).
- Dinas Sosial Provinsi Jawa Timur. "Profil UPT." Accessed May 4, 2026. <https://dinsos.jatimprov.go.id/profil/upt/show/30>.
- Gaol, S. L., and D. Hendrawan. "Pertanggungjawaban Pidana Pelaku Kekerasan Seksual Anak di Pesantren Berdasarkan UU TPKS dan UU Perlindungan Anak." *Acta Juris Review* (2026). <https://journal.megasula.com/index.php/acta-juris-review/article/view/24>.
- Irwansyah. *Penelitian Hukum: Pilihan Metode & Praktik Penulisan Artikel*. Yogyakarta: Mirra Buana Media, 2021.
- Miftahurrahmah, Avisha Nur Abidah, Rendi Alsesach Maulana, and Mic Finanto Ario Bangun. "Pengaruh Dukungan Sosial terhadap Proses Rehabilitasi Anak yang Berkonflik dengan Hukum." *Jurnal Penelitian Multidisiplin Terpadu* 8, no. 6 (2024).
- Munajat, Makhrus. *Hukum Pidana Anak di Indonesia*. Jakarta: Sinar Grafika, 2022.
- Naswandi, Afri, and Neri Widya Ramailis. "Perilaku Kekerasan yang Dialami oleh Anak yang Berkonflik dengan Hukum dalam Masa Rehabilitasi di Lembaga X (Studi Kasus pada Anak R dan K)." *Sisi Lain Realita* 8, no. 2 (2023): 47–52. <https://doi.org/10.25299/sisilainrealita.2023.18549>.
- Ramadhan, Rahmad Andre, Yunilisiah, and Tamrin Bangsu. "Implementasi Permensos No. 26 Tahun 2018 tentang Rehabilitasi Sosial Anak Berhadapan Hukum (ABH) dalam Memulihkan Keberfungsian Sosial ABH." *Mimbar: Jurnal Penelitian Sosial dan Politik* 13, no. 2 (2024): 180–89. <https://doi.org/10.32663/4gtg8y19>.
- Republic of Indonesia. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. State Gazette of the Republic of Indonesia No. 153 of 2012, Supplement to the State Gazette of the Republic of Indonesia No. 5332.
- Saraswati, Rika, Marcella E. Simandjuntak, Petrus Soerjowinoto, Emanuel Boputra, and Emilia M. K. Wijaya. "Evaluasi Penerapan Diversi dan Restorative Justice 12 Tahun Berlakunya UU SPPA." *Jurnal Jendela Hukum* 12, no. 1 (2025): 21. <https://doi.org/10.24929/jjh.v12i1.4215>.

- Shafira, Maya, et al. *Hukum Pemasyarakatan dan Penitensier*. Bandarlampung: Pusaka Media, 2022.
- Sidiq, Putri Dzahra Fatiha Anwar. "Penerapan Sanksi Pidana terhadap Anak yang Berkonflik dengan Hukum Berdasarkan Undang-Undang Sistem Peradilan Pidana Anak." *Jurnal Risalah Kenotariatan* 5, no. 2 (2024): 13.
- Soekanto, Soerjono. *Efektivitas Hukum dan Peranan Sanksi*. Bandung: Remadja Karya CV, 1985.
- Subroto, Mitro, and Gema Akbar Kurshita. "Peran Lembaga Pembinaan Khusus Anak dalam Rehabilitasi Anak yang Berkonflik dengan Hukum." *Jurnal Inovasi Hukum* 5, no. 4 (2024).
- Winarsih, Laras, Ridho Sa'dillah Ahmad, Indra Retnowati, Ganis Vitrayanty Noor, and Elvina Melinda. "Efektivitas Penegakan Hukum Pidana Anak Jalanan dalam Sistem Peradilan Pidana Anak Perspektif Humanis Restoratif." *Noblesse Oblige Law Journal* 2, no. 1 (2025): 215.

Interview

Pratiwi. Interview by author, April 27, 2026.