

COMPARISON OF JUVENILE CRIMINAL JUSTICE SYSTEMS IN AUSTRALIA, INDONESIA AND MALAYSIA

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Abstract

Child delinquency or juvenile delinquency, which is currently continuing to spread due to rapid changes in times, has made a country create written regulations that are valid in the eyes of the law which contain rules regarding legal violations committed by minors in accordance with the guidelines they regularly use. considering the rights of children as the nation's next generation who do not yet have emotional stability. This article aims to find out how the juvenile criminal justice system is in Australia, Indonesia and Malaysia using the literature study method. The results of the analysis obtained in this article are that the juvenile criminal justice system in Australia has a different legal basis in each state or territory. Meanwhile, Indonesia and Malaysia have the same legal basis throughout their territories. Where Indonesia is based on Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and Malaysia is based on the 2001 Children and Adolescents Law. The types of criminal punishment for children in Australia, Indonesia and Malaysia both prioritize rehabilitative actions with the aim of improving character. and to ensure they can return to society armed with better skills and a positive attitude.

Keywords: Juvenile Delinquency, Juvenile Justice System

INTRODUCTION

Juvenile delinquency is defined as an act or behavior that violates applicable legal norms and can endanger the personal development of a child under the age of 18 years and unmarried. The existence of this phenomenon of child delinquency requires special action so as not to violate children's rights that can affect children's growth and development. This is in accordance with the Convention on the Rights of the Child which states that States parties recognize the right of every child accused of a violation of criminal law to be treated in a way that upholds the dignity and worth of the child. So in this case, even if children commit crimes, they will still get special protection that is not given to perpetrators of crimes committed by adults (Harahap, 2018).

The existence of children identified with legal problems certainly requires more attention from the government and international organizations to make a policy that can be used to avoid or minimize other forms of violations. Existing policies must be contained in international conventions, standards and regulations that can be used as a strong foundation for implementing juvenile criminal law. This juvenile criminal law is one of the important aspects that must exist as a form of handling criminal acts committed by an individual under

the age of 18 years. The purpose of this system is to make it emphasize coaching and rehabilitation rather than severe punishment (Purwati & Alam, 2015).

The juvenile criminal justice system is based on the UN Standard Minimum Rules for the Administration of Juvenile Justice in the Beijing rules. The Beijing Rules are one of the international legal instruments that serve as a foundation for juvenile justice administration that regulates the power given to law enforcement officials to handle or resolve child cases by seeking resolution through official action or by avoiding the criminal justice process (Suhaimi, 2013). Beijing's regulations are also useful within the framework of UN guidelines for the prevention of juvenile delinquency as well as protection for children deprived of liberty. From the existence of The Beijing Rules emerged the UN convention on the United Nations Convention on the Rights of the Child (UNCRC). This UNCRC serves to strengthen legal protection rights in accordance with Beijing regulations by providing a set of legal process standards that provide recognition of children's fair rights (Jauhari, 2013).

This UNCRC treaty is negotiated with all members of the United Nations and is legally binding on each country that is part of the treaty. As members of the United Nations, Indonesia, Malaysia and Australia are also involved in the United Nations Convention on the Rights of the Child (UNCRC). Its active membership status requires these countries to support UNCRC policies with its various stages. Through several existing policies, the handling of criminal justice law for children in Indonesia, Malaysia and Australia must pay attention to the factors contained in the agreement. This is because the criminal law of children must be determined or decided strictly while still paying attention to the rights that must be given in accordance with the rules of law applicable in the country (Personal, 2018).

Therefore, the preparation of this article aims to find out more in depth about the comparison of juvenile criminal justice legal systems in Indonesia, Malaysia and Australia. This includes knowing more deeply about the legal basis used and the type of punishment that will be given to each case of violation of the law committed by children and institutions that will handle and provide follow-up in every applicable legal decision.

RESULT AND DISCUSSION

Findings of the Juvenile Penal System in Australia

Australia is one of the countries known for its progressive juvenile criminal justice system based on human rights principles and the best interests of children. At first, the juvenile criminal justice system in Australia, as in many other countries, was similar to the adult criminal justice system. Children involved in criminal acts can be tried in adult courts and receive the same sentence. However, in the 19th and early 20th centuries, awareness of the need for special protection for children involved in the criminal justice system began to

emerge. In 1909, South Australia became the first state in Australia to introduce a separate juvenile court. This act is intended to separate children from the influence of the adult criminal justice system and provide them with protection and assistance appropriate to their age and development. The initiative was later adopted by other states in Australia (Arifin & Rozah, 2021).

All states and self-governing territories in Australia have adopted the age of 10 as the age of criminal responsibility. *Doli incapax* refers to the notion that a child is "incapable of committing a crime" under the law or common law. In the context of Australian law, *doli incapax* acts as a refutable presumption for children aged at least 10 to 14 years. To refute this presumption, the prosecution must prove beyond a reasonable doubt that the child knew that the act was completely wrong (not by legal standards, but morally or in accordance with the usual principles of reasonable people) different from the act of mere delinquency (Arifin & Rozah, 2021). In Australia when a child is found guilty of a summary offence, he or she is convicted by the Children's Court. When sentencing a child offender, courts should make child rehabilitation a primary consideration. Sentencing orders that can be made in relation to young offenders include good behaviour bonds, fines and requirements in youth custody (Setyorini, 2018).

In addition, diversion in Australia is also intended for first-time children to avoid them from the criminal justice system which can have a negative impact on their later behavior. Diversion does not apply to murder and maltreatment resulting in death or serious injury. Diversion is carried out from the beginning of the process by applying informal and formal *Police Cautions* and *Family Conferencing* to diversion the child case that occurs and keep the child out of court. The legal umbrella used is *Young Offenders Act 1993*. The police as a starting point in handling juvenile cases move based on the framework of the juvenile justice system (Purwati & Alam, 2015).

2.1.1 Legal Basis of the Juvenile Penal System in Australia

The juvenile criminal justice system in Australia is based on several laws and regulations that define the legal basis for the handling of criminal cases involving children. Some of the key legal bases for the juvenile criminal justice system in Australia include:

1. *The Young Offenders Act 1997* (New South Wales): A law that provides an alternative to solving juvenile criminal cases through diversion. The law also emphasizes the

importance of child rehabilitation as a primary consideration in punishing child offenders. In addition, this law also stipulates that children who commit crimes will be tried in the *Children's Court*.

2. *The Children (Criminal Proceedings) Act 1987* (New South Wales): This Act governs juvenile criminal justice procedures in New South Wales and defines the criteria used to determine whether a child should be tried as a child in juvenile court.
3. *The Children, Youth and Families Act 2005* (Victoria): This Act regulates various aspects of children, including the handling of children involved in criminal offences in Victoria. It also regulates juvenile courts in the state.
4. *The Children and Community Services Act 2004* (Western Australia): This law governs juvenile criminal justice and various juvenile matters in Western Australia.
5. *The Children (Detention Centres) Act 1987* (Queensland): This Act focuses on setting up juvenile detention centres and juvenile detainees in Queensland.
6. *The Juvenile Justice Act 1992* (Queensland): The law that governs various aspects related to juvenile criminal justice in Queensland, Australia. This law provides a legal framework for the handling of cases involving children suspected of committing criminal offences in the region.
7. *The Children and Young Persons (Care and Protection) Act 1998* (New South Wales): In addition to regulating juvenile criminal justice, this law also provides for the protection of children at risk, such as those related to care and protection issues.
8. *The Youth Justice Act (1997)* Tasmania: Undamg-legislation that provides for the different types of penalties and sanctions that can be imposed on children found guilty. These include juvenile imprisonment, supervision, rehabilitation programs, counseling, and education.

In addition to state laws, there are federal laws and regulations in place to protect the rights and interests of children at the national and international levels, such as:

1. *The Family Law Act 1975* (Commonwealth): This Act governs matters relating to the guardianship of the child and focuses on the interests of the child.
2. *The United Nations Convention on the Rights of the Child* (UNCRC): Australia is a party to the UNCRC, which provides guidance on children's rights. The UNCRC influences child protection policies and laws across Australia. The Australian

Government has also published guidelines and guidelines for juvenile courts, children's rights, and principles to be followed in the handling of criminal cases involving children. In addition, laws and regulations in states and territorial areas may have variations in the application and details of the implementation of the juvenile criminal justice system.

3. *Standard Minimum Rules for the Administration of Juvenile Justice The Beijing Rules:* This document provides guidelines for States to ensure that the handling of cases of children involved in criminal offences is more humane and supports rehabilitation rather than harsh punishment.

2.1.2 Types of Punishment in the Juvenile Penal System in Australia

1. **Caution:** Children involved in minor offenses may receive an official warning. Warnings aim to provide an understanding of the consequences of their actions and encourage behavior change. After hearing the evidence and arguments, the juvenile court will make a decision on whether the child is guilty or innocent. If the child is found guilty, the court may decide to implement restorative measures, such as an apology to the victim, participation in rehabilitation programs, or other measures aimed at correcting the child's guilt. In addition to restorative measures, juvenile courts may also provide lighter alternative sentences than incarceration.
2. **Parole and Rehabilitation:** The primary goal of parole is to facilitate the reintegration of children into society in a safe and responsible manner. The parole process is governed by various laws and regulations that have been established in various Australian jurisdictions. The first step in parole is to assess whether the child in question is ready for release. This involves evaluating the child's risk and eligibility to return to society. In addition, the child must also participate in rehabilitation programs during their incarceration, designed to help them understand the consequences of their actions and develop the skills necessary to lead a more positive life. Rehabilitation programs cover various aspects such as counseling, education, skills training, and psychological support. Rehabilitation focuses on understanding the root causes of children's criminal behavior and providing them with the tools and knowledge to overcome the challenges they face (Cunneen *et al.*, 2016).

3. Supervision by a youth justice *officer*: During and after parole, child monitoring agencies will monitor the child to ensure compliance and continued recovery. The process of supervising a child who is criminally entangled begins from the moment the child enters the juvenile justice system. This supervision is carried out by a variety of agencies, including juvenile prisons, child welfare agencies, and social workers who work together to ensure the child gets the care and support they need.

2.1.3 Institutions dealing with juvenile criminal cases in Australia

The agencies that handle juvenile criminal cases in Australia may vary according to jurisdiction in each state and territory (Richards, 2014). However, there are some common elements that exist in the structure of these institutions.

1. Juvenile court (*Children's Court*)

The Juvenile Court is the most crucial institution in the juvenile criminal justice system in Australia. These courts have an important responsibility in protecting the rights of children involved in criminal offences and ensuring that the judicial process takes place fairly and in accordance with human rights principles. One of the main roles of the Juvenile Court is to ensure that children's rights, including the rights to education, privacy, lawyers, and fair treatment, are always respected. These courts allow children suspected of criminal offences to be represented by lawyers who will ensure that their rights are not violated during the judicial process. These courts are seeking to decide sentences aimed at helping children correct their behavior and prevent engaging in future criminal acts. Juvenile Court in Australia has undergone significant development over time. Initially, juvenile justice did not have an approach that focused on coaching and rehabilitation, but rather focused on punishment. However, along with changing societal views and awareness of the importance of protecting children's rights, approaches in juvenile justice have changed. Juvenile Court in Australia now prioritizes a rehabilitative approach. This approach includes the provision of rehabilitation, counselling, and support programs aimed at helping children involved in criminal acts to address the underlying problems of their criminal behavior.

2. Youth Justice Officer: In the juvenile criminal justice system in Australia, a *Youth Justice Officer* has an important role in monitoring, guiding and providing support to children involved in the juvenile criminal justice process. These roles often include a range of

responsibilities designed to ensure that children involved in the criminal justice system receive appropriate assistance and assistance.

2.2 Juvenile penal system in Indonesia

The problem of children in conflict with the law is very troubling. Law No. 3 of 1997 concerning Juvenile Court is no longer adequate in providing solutions to children who face the law. Based on this, the House of Representatives of the Republic of Indonesia together with the Government of the Republic of Indonesia have discussed the Juvenile Criminal Justice System Bill from 2011 to 2012. The Juvenile Justice System Bill (RUU SPPA) was submitted by the President to the Leadership of the House of Representatives of the Republic of Indonesia with Letter No. R12/Pres/02/2011 dated February 16, 2011. The President assigned the Minister of Law and Human Rights, Minister of Social Affairs, State Minister of Women's Empowerment and Child Protection, and State Minister of State Apparatus Empowerment and Bureaucratic Reform to represent the President in the discussion of the SPPA Bill. This SPPA Bill is a replacement for Law No. 3 of 1997 concerning Juvenile Court with the aim of realizing a court that truly guarantees the protection of children facing the law (Hasan, 2013).

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System which replaced Law Number 3 of 1997 concerning Juvenile Court which states that a 'child in conflict with the Law' is a child who is 12 (twelve) years old but not yet 18 (eighteen) years old, so here it is clear that the framers of the law have agreed that the age of 8 (eight) years is indeed an age that still cannot be held accountable for actions that He did it, because such an age child still did not understand what he was doing. If a child who is not yet 12 (twelve) years old commits or is suspected of committing a criminal offense or in other words that the child is not even 18 (eighteen) years old, then the child will still be tried in the juvenile court. More clearly in Article 20 it is stated that: "In the event that a criminal act is committed by a child before the age of 18 (eighteen) years and submitted to a juvenile court hearing after the child concerned exceeds the age limit of 18 (eighteen) years, but has not reached the age of 21 (twenty-one) years, the child is still submitted to the juvenile court".

The juvenile criminal justice system in Indonesia consists of several elements that constitute one unit, namely, child investigators, juvenile public prosecutors, juvenile judges and juvenile correctional officers. Each of these elements in carrying out their duties and

responsibilities must realize the principle of legal protection contained in the law of the juvenile criminal justice system where the principle of legal protection of children in conflict with the law must also be in accordance with the Convention on the Rights of the Child (*Convention on the Rights of the Child*) as ratified by the Government of the Republic of Indonesia with Presidential Decree Number 36 of 1990 concerning Ratification *Convention on the Rights of the Child*.

2.2.1 Legal Basis of the Juvenile Penal System in Indonesia

1. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law): The SPPA Law is a law that specifically regulates the juvenile criminal justice system in Indonesia. The law outlines basic principles, procedures, and penalties related to violations of law involving children. This Law regulates diversion, juvenile criminal justice procedures, correctional officers, criminal and actions, services, care, education, child development, and guidance of child clients, child victims and child witnesses, education and training, community participation, coordination, monitoring and evaluation, administrative sanctions, and criminal provisions.
2. The Constitution of the Republic of Indonesia Year 1945 (UUD 1945): Article 28H paragraph (1) of the 1945 Constitution guarantees every child the right to live, grow, and develop as well as the right to advance themselves in dignity and human rights. Article 28H paragraph (1) of the 1945 Constitution is the constitutional basis underlying the regulation of the juvenile criminal justice system in Indonesia. The principles of children's rights contained in the article guide the formation of laws and policies involving children in the context of criminal justice, making them more in line with the needs and rights of children as part of society.
3. *Convention on the Rights of the Child: Indonesia ratified the Convention on the Rights of the Child* in 1990 through Law Number 7 of 1990. The Convention emphasizes the rights of children, including the right to a fair trial and special protection for children facing the criminal justice system.
4. Criminal Code (KUHP): Several provisions in the Criminal Code were adapted and adapted in the SPPA Law to accommodate the needs of the juvenile criminal justice system. For example, the regulation on juvenile crime is regulated more specifically in the SPPA Law.

2.2.2 Types of Punishment in Indonesia's Juvenile Penal System

The types of crimes against children in the Law-SPPA as stipulated in Article 71 are as follows: (Tjiang, 2017):

1. Principal criminal. The main crime for children consists of:
 - a. Criminal commemoration is a misdemeanor crime that does not result in restrictions on children's freedom
 - b. Criminal conditions in the form of guidance outside the institution, community service, or supervision. This type of crime can be imposed by the Judge in the case of imprisonment imposed for a maximum of 2 (two) years.
 - c. Criminal restrictions on freedom are imposed in the event that the Child commits a serious crime or a crime accompanied by violence. The penalty of restriction of freedom imposed on children is no longer than 1/2 (one half) of the maximum prison sentence threatened against adults.
 - d. Coaching in Institutions. Criminal coaching in institutions is carried out at job training places or coaching institutions organized, both by the government and the private sector. The punishment of formation in the institution is imposed if the condition and actions of the Child do not endanger society. Coaching in the institution is carried out for a minimum of 3 (three) months and a maximum of 24 (twenty-four) months. Children who have undergone 1/2 (one-half) of the duration of formation in the institution and not less than 3 (three) months of good behavior are entitled to parole (Article 80).
 - e. Prison. Special minimum imprisonment provisions do not apply to children. The provisions regarding imprisonment in the Criminal Code also apply to children as long as they do not conflict with the Law-SPPA. The provisions regarding imprisonment in the Criminal Code also apply to children as long as they do not conflict with W-SPPA. Children are sentenced to imprisonment in LPKA if the child's circumstances and actions will endanger society. Imprisonment that can be imposed on children is no longer than 1/2 (one half) of the maximum threat of imprisonment for adults.
2. Additional penalties consisting of:
 - a. Deprivation of profits obtained from criminal acts.

- b. Fulfillment of customary obligations. In Explanation 72 Letter b it is explained that what is meant by "customary obligation" is a fine or action that must be fulfilled based on local customary norms that still respect the dignity and dignity of children and do not endanger the physical and mental health of children.

2.2.3 Institutions Handling Child Criminal Cases in Indonesia

1. Juvenile court: Judging from the provisions of Article 2 of Law Number: 3 of 1997 and Article 10 of Law Number: 35 of 1999, the "Juvenile Court" is the jurisdiction of the General Court. However, when viewed from the vision of the material, the "Juvenile Court" has a specialization (differentiation / specialization) of its application starting from the level of investigation, prosecution and trial along with the procedural law. In accordance with the SPPA Law which stipulates that juvenile criminal cases must be handled by a special court called the Juvenile Court. The Juvenile Court is responsible for the judicial process from examination, evidence, to sentencing determination. The Juvenile Court is set up to provide protection and rights of the child during the judicial process. In this juvenile court also involves the police as child investigators, child public prosecutors, judges and prosecutors.
2. The Ministry of Social Affairs has a role in the implementation of child criminal sanctions, especially related to special child development institutions (LPKA) and temporary child placement institutions (LPAS). LPKA is the institution responsible for providing guidance and rehabilitation for children involved in criminal acts, while LPAS is responsible for placing children involved in temporary criminal acts before further processing. Therefore, MOSA plays an important role in implementing child criminal sanctions and ensuring treatment in accordance with the principles of protection and fulfillment of children's rights.
3. The Juvenile Penitentiary is a place of detention or formation of children involved in criminal acts. The SPPA Law emphasizes the principle of humane and rehabilitative treatment in juvenile prisons.
4. Juvenile Correctional Non-Governmental Organizations (NGOs): The SPPA Law provides space for the involvement of Juvenile Correctional NGOs that function as government partners in providing support, monitoring, and advocacy for children's rights in the juvenile criminal justice system in this regard such as the Indonesian Child

Protection Agency (LPAI) and the National Commission for Child Protection (Komnas PA).

2.3 Juvenile Criminal Justice System in Malaysia

After the Second World War in 1946, the Persatuan Malaya government proposed a separate law to deal with delinquent children. The Juvenile Court Act, introduced in 1947, was designed primarily to prohibit, or even eliminate entirely, the involvement of children and adolescents in the commission of crimes. Through this Act, the Juvenile Court was established. This law only deals with juvenile offenders, who according to Section 2 of the Act, are persons between the ages of ten and eighteen. This law was created to implement social and legal measures for the control of childcare and is based on the idea of prevention, treatment and rehabilitation (Mohd & Mustaffa, 2022).

In 2001, Malaysia introduced the Children's Law, the main law governing the juvenile justice system, the Women and Girls Protection Act of 1973, and the Child Protection Act of 1991 into one law under Section 140 of the Children's Law. Although the law was implemented in 2001 and improvements were made, Malaysia's perspective on children breaking the law, particularly the policies defining children's rights, remains essentially the same. Malaysia's Children Act of 2001 expressly stipulates that any order must be in the best interests of the child, but fails to provide sufficient guidance on the concepts or criteria to be used in making best-interest findings.

The minimum age of criminal liability for children in Malaysia is divided into 3 categories, First, children are exempt from criminal liability, if they are under 10 years old. Secondly, it can be exempted from criminal liability, for those between 10-12 years old, If they are proven not to have reached maturity. Third, over the age of 12 years is fully criminally responsible, just like an adult. However, criminal procedures remain different with adults and with different courts. It is contained in Sections 82 and 83 of the Malaysia Penal Code". According to Section 82 that "there is no offence by a child under the age of 10 years", according to Article 83 that "no offence is committed by a child over 10 years of age and under 12 years of age, who has not attained comprehension and maturity".

1.3.1 Legal Basis of the Juvenile Penal System in Malaysia

In the Malaysian legal system, the law governing juvenile criminal courts is mainly contained in the Children and Youth Act 2001 (Act 611). The Act provides a legal basis for

the protection and welfare of children, including specific rules relating to the juvenile criminal justice system (Lailia & Hadiningrum, 2024). Here are some of the legal bases used in the juvenile criminal court system in Malaysia:

1. Children and Youth Act 2001 (Act 611): This Act provides a common legal framework for the protection and welfare of children, including specific provisions relating to juvenile criminal courts.
2. Child Criminal Procedure Act 2005 (Act 653): This law regulates juvenile criminal court procedures, including the investigation, prosecution, and resolution of criminal cases involving children.
3. Convention on the Rights of the Child (CRC): Malaysia is also a signatory to the Convention on the Rights of the Child, and the principles in this convention can be used as a basis for protecting the rights of children, including in the context of the juvenile criminal justice system.

1.3.2 Types of Punishment in the Juvenile Penal System in Malaysia

In Malaysia, the juvenile criminal justice system is governed by the Child Act 2001. The types of punishments given to children involved in legal cases in Malaysia are as follows (Ferdousi, 2020):

1. 10-12 years old: Given protection and conditional laws that when he commits the crime, his intellect is not perfect in considering the circumstances and effects of his actions. If his intellect is perfect when he commits this crime, then it is still punished according to the law. Criminals will also be placed in the *Probation Hostel*, which is a recovery place for children involved with probation. In this *Probation Hostel*, children are educated and fostered to be positive and given skills
2. 12-13 years old: If the case is a minor case, the criminal can pay compensation or establish rehabilitation or special education programs that can improve their skills and change unwanted behavior. Their rehabilitation process will be placed in Tunas Bakti Schools (STBs) which were established for the education, training and detention of children. Sekolah Tunas Bakti (STBs) was established and established by the Minister of Community Welfare as stipulated in the Child Act 2001. Sekolah Tunas Bakti (STBs)

serves children of lawbreakers, children of *beyond control* and sometimes children of prisoners

3. 14-17 years old: The type of punishment that will be obtained is by paying a security deposit for good behavior and being placed in a moral dormitory under the direct supervision of a child guidance employee who is responsible for monitoring and mentoring them. The offender will be placed at the Henry Gurney School until he turns 21. And will carry out the canton law no more than 10 times.

1.3.3 Institutions Handling Child Criminal Cases in Malaysia

1. Youth law assembly (Children's legal assembly)

Errors attempted by young people (between the ages of 10 and 18) are tried by youth law panels. In this institution consists of 2 advocates (one of them, if possible a woman). The judge decides a problem while the advocate only distributes the sentence given. Imprisonment is a last resort compared to sending to a designated special school.

2. Department of Community Welfare (JKM)

JKM has a responsibility to involve itself in cases involving minors. They can provide guidance, social services, and compile reports to assist with litigation. JKM has the responsibility to assist child criminals who are placed in Moral Dormitories and Tunas Bakti Schools (STBs).

3. Malaysian Prison Department (JPM)

The Malaysian Prisons Department (JPM) is responsible for the management and monitoring of prisoners and inmates in Malaysia. The main task of JPM involves the care, recovery, and rehabilitation of prisoners to ensure they can return to society armed with better skills and a positive attitude. JPM also has the responsibility of coaching, supervising and mentoring offenders stationed at Henry Gurney School (SHG).

3.1 Comparison of Juvenile Penal Systems in Australia, Indonesia and Malaysia

Table 1. Comparison of Juvenile Penal Systems in Australia, Indonesia and Malaysia

Country	Legal Basis	Types of Penalties	Institutions Involved
Australia	The juvenile criminal justice system in	1. Warning: this punishment is given in	1. Juvenile court

	<p>Australia falls under the jurisdiction of the respective State or Territory government. Although states in Australia have the authority to draft their own juvenile criminal laws, the rules made are still based on federal laws such as <i>The Family Law Act 1975 (Commonwealth)</i>, <i>The United Nations Convention on the Rights of the Child (UNCRC)</i> and <i>Standard Minimum Rules for the Administration of Juvenile Justice The Beijing Rules</i>.</p>	<p>minor cases by applying restorative measures, such as an apology to the victim.</p> <p>2. Parole and Rehabilitation: This sentencing focuses on understanding the root causes of a child's criminal behavior and providing them with the tools and knowledge to overcome the challenges they face.</p> <p>3. Supervision by a youth justice officer: Supervision is conducted by juvenile prisons, child welfare agencies, and social workers.</p>	<p>2. <i>Youth Justice Officer</i></p>
Indonesian	<p>1. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law).</p>	<p>1. Principal criminal. The main crime for children consists of:</p> <p>a. Criminal warning</p> <p>b. Criminal with conditions in the</p>	<p>1. Juvenile court: Juvenile court involves the police as child investigators, juvenile public</p>

2. Constitution of the Republic of Indonesia Year 1945 (UUD 1945): Article 28H paragraph (1).	form of coaching outside the institution for a maximum of 2 (two) years.	prosecutors, judges and prosecutors.
3. <i>Convention on the Rights of the Child</i> .	c. Criminal restriction of freedom against Children no longer than 1/2 (one half).	2. Ministry of Social Affairs with special child development institutions (LPKA) and temporary child placement institutions (LPAS).
4. Criminal Code (KUHP):	d. Coaching in the Board is carried out for a minimum of 3 (three) months and a maximum of 24 (twenty-four) months.	3. Juvenile Penitentiary.
	e. Prison. Imprisonment that can be imposed on Children no longer than 1/2 (one half)	4. Non-governmental organizations (NGOs) for Juvenile Corrections such as the Indonesian Child Protection Agency (LPAI) and the National Commission for Child
	2. Additional penalties consisting of:	
	a. Deprivation of profits obtained from criminal acts.	
	b. Fulfillment of customary obligations.	

			Protection (Komnas PA).
Malaysia	<ol style="list-style-type: none"> 1. Children and Youth Act 2001 (Act 611). 2. Child Criminal Procedure Act 2005 (Act 653). 3. Convention on the Rights of the Child (CRC). 	<ol style="list-style-type: none"> 1. The law is conditional for offenders aged 10-12 years. 2. Penalties of compensation and rehabilitation for offenders aged 12-13 years. 3. The bail penalty was placed at Henry Gurney School under supervision and caning less than 10 times for offenders aged 14-17 years. 	<ol style="list-style-type: none"> 1. A youth law panel (Juvenile law panel) consisting of advocates and judges. 2. Community Welfare Department (JKM) which handles criminal offenders in Moral Dormitory and Tunas Bakti School (STBs). 3. The Malaysian Prison Department (JPM) is in charge of coaching, supervising and assisting perpetrators stationed at the Henry Gurney School (SHG).

CONCLUSION

Juvenile criminal justice systems in Australia, Indonesia, and Malaysia have laws and regulations that still pay attention to the rights that must be obtained by minors who commit acts that contain criminal elements. Juvenile criminal justice systems in Australia, Indonesia and Malaysia focus on addressing through rehabilitation. Although these three countries share similar basic principles, namely the separation of juvenile and adult justice systems and rehabilitative approaches, there are special nuances in the implementation and focus of each country. All of these systems aim to protect children's rights, provide opportunities for rehabilitation, and ensure children involved in criminal acts can again become positive members of society.

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