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The Role of Social Workers in Providing Counseling to Children Who Commit Acts of Violence Through a Social Welfare and Legal Approach

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ABSTRACT

Children are an integral part of society, and their protection therefore needs to address their needs in a comprehensive manner. Protection should not be limited to basic necessities, but should also include their safety, comfort, and well-being. Children need a safe and supportive environment in which they can live, play, and learn. They should not be exposed to conditions that threaten their safety or encourage involvement in criminal acts. Inadequate supervision may increase the risk of children becoming involved in behavior that violates social norms and the law. When a child becomes involved in a criminal act, appropriate assistance is needed from social workers or community probation officers. Such assistance is particularly important during the examination and investigation stages, as children may experience pressure when dealing with legal proceedings that are unfamiliar to them. Assistance at this stage is part of the protection of children's rights and provides support for their recovery and return to everyday life. Social workers have an important role in this process. Their work, however, requires coordination with other relevant institutions so that the best interests of the child can be properly addressed. The fulfillment of children's rights may involve social reintegration and rehabilitation, while punishment should remain a last resort.This study employs a normative juridical method by examining relevant literature, legislation, legal theories, and conceptual approaches. The findings show that social workers have an important role in assisting child perpetrators of violence and in supporting the fulfillment of their rights. They can also contribute to efforts to implement restorative justice and diversion, particularly where these approaches are considered appropriate for the child's circumstances and serve the best interests of the child.

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1. INTRODUCTION

Public order and welfare are the aspirations of every human being aspiration that are meant to be free from violence or treatment deemed harmful or dangerous, which would lead to unpleasant and unsafe conditions. Therefore, it is the duty of law enforcement officials to constantly monitor

and oversee any actions that are indeed considered harmful to the public and, of course, the public must always coordinate with law enforcement officials to receive assistance as soon [19] as possible. In reality, there are no restrictions on who commits acts of violence; perpetrators are not necessarily adults but can also be minors, and there are various factors that lead children to become perpetrators of criminal acts

If a perpetrator has been proven to have committed a crime, this does not necessarily mean they must be given a severe punishment especially if the perpetrator is a child, in which case judges have the discretion not to impose criminal penalties on children by pursuing restorative justice and diversion, and every law enforcement official strives to ensure that children are not sent to prison; however, if these alternatives are not successful, the case proceeds to criminal sentencing with penalties that are relatively lighter than those for adults, because, on the other hand, children [5] are not actually ready for prison, and incarceration would negatively impact their mental health and lead to stigmatization. Therefore, in such cases, regular monitoring is essential to prevent long-term trauma, and it is crucial to provide rehabilitation to uphold their rights.

A child's lack of preparedness for life in prison can have negative consequences, given that children are the nation's future generation one that must always be protected and cared for. Therefore, it is inconceivable that there would be no oversight from the state; one such role is that of social workers who support children. These social workers are trained professionals tasked with guiding, protecting, and restoring the of children facing social issues, including physical, psychological, and sexual abuse, as well as economic neglect or legal troubles. They also work to ensure the children's safety, mental health, and, above all, that their future remains well-protected in accordance with the principle of the best interests of the child.

This principle indicates that even if a child is the perpetrator of violence, their rights must still be taken into account; there should be no discrimination, but rather a priority placed on ensuring their rights are fully realized [13]. One entity capable of achieving this is the state, through social workers who provide support at every stage of the proceedings without the child experiencing any pressure or intimidation. In addition, social workers play a role in providing legal assistance to children in conflict with the law or who are facing legal proceedings or who are serving as witnesses in legal cases to ensure that their rights remain protected throughout the judicial process.

The implementation of the best interests principle involves preparing a Social Assessment Report (Litmas) in collaboration with the Correctional Services Office (BAPAS) to serve as a basis for the judge's consideration of whether a child's detention period can be reduced or whether the child can be released; thus, the function of such social assessments is of utmost importance, and the role of social workers through the social services agency, who constantly strive to monitor the risk factors that may lead a child to commit a criminal offense factors that are typically triggered by the child's involvement in the family's economic circumstances, weak parental supervision in households [8] where parents are often busy, and the presence of domestic violence, which can result in the child being neglected and overlooked. Unhealthy peer influences can also lead children to become perpetrators of criminal acts, as negative peer groups steer or lead children in the wrong direction, ultimately causing them to commit crimes.

The role of social workers in supervising children in conflict with the law should be a serious concern so that, in the future, no more children will become perpetrators of acts of violence. What is absolutely necessary and deserves special attention is that during the investigation process, their rights must always be respected, and they must not be treated as adults, given that their nature, size, and characteristics differ from those of adults. They cannot and must not be placed in the same cells as adults, nor should they face negative stigma from society [2]. Upon their return to society, children should be

welcomed with open arms; past offenses should not be brought up again, and they should be viewed as individuals who need to be guided and directed onto the right path, so that the criminal acts they committed are not repeated.

The tendency for children to become perpetrators of violence is undoubtedly caused by a lack of attention from parents, family, and the community, as well as a lack of legal awareness and indifference toward children's rights rights that must be respected, monitored, and addressed with seriousness to ensure the best possible future for the child. Based on the background described above [6], the research question to be examined is: What is the Role of Social Workers in Providing Support to Children Who Commit Acts of Violence Through a Social Welfare and Legal Approach.

The research method used is based [10] on normative legal research, which examines regulations, theories, principles, and expert opinions; these are then analyzed and processed to produce a literature review that serves as a reference in developing the conceptual framework.

2. METHODS

This study employs a normative juridical research method using statutory and conceptual approaches to examine the role of social workers in providing assistance and protection to children who commit acts of violence. The research focuses on analyzing legal provisions, principles, and theories related to juvenile justice, child protection, and social welfare. The primary legal materials include Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and Law Number 35 of 2014 concerning Child Protection. Secondary legal materials consist of scholarly journals, academic books, and relevant legal literature addressing the responsibilities of social workers, restorative justice, diversion, rehabilitation, and the fulfillment of children's rights.

The research materials are collected through a literature review and analyzed using a qualitative descriptive approach. The analysis involves identifying, interpreting, and systematically examining relevant legal regulations and scholarly perspectives to determine the responsibilities and functions of social workers throughout the pre-adjudication, adjudication, and post-adjudication stages. Particular attention is given to the integration of legal protection and social welfare approaches in ensuring children's best interests, supporting psychosocial recovery, and facilitating social reintegration. The findings are synthesized to provide a comprehensive understanding of the role of social workers in protecting children in conflict with the law.

3. RESULT AND DISCUSSION

3.1 Social Workers

Social workers play a highly strategic role in the implementation of Law No. 11 of 2012 on the Juvenile Criminal Justice System (SPPA), which aims [14] to ensure the protection of the rights of children in conflict with the law (ABH). According to Article 1, point 12, of Law No. 35 of 2014 on Child Protection, a "companion" is defined as a social worker who possesses professional competence in their field. Meanwhile, a child in conflict with the law (ABH) is a child who is in conflict with the law, a child who is a victim of a criminal offense, or a child who is a witness to a criminal offense.

Professional social workers have a background in social welfare. They serve as official advocates and experts whose work is aimed at restoring children's social functioning and helping them overcome psychological and social problems resulting from legal cases they face in [9] connection with the Juvenile Criminal Justice System (SPPA), ensuring that children are supervised in their daily activities rather than in prison at all times without exception.

Pursuant to Article 68 of Law No. 11 of 2012, Professional Social Workers and Social Welfare Workers are tasked with guiding, assisting, protecting, and supporting

children through social counseling, advocacy, rebuilding self-confidence, behavioral change, social rehabilitation, and the reintegration of children into society. In carrying out these duties, they coordinate with Probation Officers and provide support at every stage of the process for children in conflict with the law, from before the trial until after the verdict. These stages are as follows:

1) The Pre-Adjudication Stage (Investigation and Examination) [16] can provide support to the child so that he or she does not feel pressured or intimidated during the court proceedings, serve as a mediator between the family, the child, and law enforcement officials, and prepare a social report on the child's progress and condition
2) The Adjudication (Court Proceedings) Stage: accompanying the child in the courtroom whether in formal proceedings or in diversion proceeding and encouraging the diversion process to proceed smoothly, as well as providing emotional support to the child as they navigate the judicial process
3) The Post-Adjudication Phase (After the Ruling/Rehabilitation): This is crucial to help the child recover from trauma and deviant behavior, and to guide the process of social reintegration so that the child can be accepted back into their neighborhood, school, and community with open arms without rejection or negative stigma [1]. Children who have been placed in juvenile detention centers continue to receive moral support, especially those who excel, as this represents an important investment whose benefits will be enjoyed by the nation in the future.

Social workers do not act on the basis of personal appointments, but are appointed or involved through the following official procedures or mechanisms:

1) Law Enforcement Officials (Investigators, Prosecutors, or Judges): In accordance with the provisions of Article 27 of the Child Protection Act (SPPA), when handling cases involving children in the legal system whether children in conflict with the law, child victims, or child witnesses police investigators are required to request a social report and professional social work assistance. This applies once a criminal complaint has been filed, and this request is then formally forwarded to the relevant agencies.
2) The Ministry of Social Affairs or the Local Social Services Agency: Upon receiving an official request from law enforcement authorities, the Ministry of Social Affairs or the Social Services Agency at the provincial, regency, or city level will assign a professional social worker under the auspices of law enforcement agencies (such as the Social Worker Service Unit/Sakti Peksos) to oversee the case.
3) Social Welfare Institution (LPKS): If a child is placed in a government-run or accredited private social rehabilitation institution, the head of that institution will appoint an in-house social worker to support the child during the rehabilitation period.

3.2 Support for Children Who Commit Acts of Violence

When children commit acts of violence, it inevitably causes trauma that leads them to engage in inappropriate

behavior and results in injuries or long-term psychological trauma. Consequently, this has a negative impact on the children, making them reluctant to participate in their daily activities including attending school. Their inability to cope with challenges often leads to depression and prolonged stress, making it essential to provide protective supervision for children in conflict with the law, commonly known as support for child perpetrators of violence [17]. This support, provided by social workers, involves continuously monitoring and supervising the children to ensure, above all, that their rights are always protected and that they are not treated arbitrarily or inhumanely; after all, children must receive special protection.

Support for children in conflict with the law is part of the effort to ensure that children's rights are upheld throughout the legal process. In cases involving children who have committed acts of violence, this support is directed not only toward the children's needs during the judicial process, but also toward their psychosocial recovery, behavioral change, and readiness to return to their social environment.

Children of perpetrators of violence or children involved in criminal acts often experience intimidation; therefore, they require protection from the state and must be ensured protection under the juvenile justice system not the adult justice system as well as psychological recovery. Psychological counseling is necessary to understand the child's mental state and behavioral changes following involvement in acts of violence. In practice, social workers can coordinate with psychologists or other professionals as needed by the child.

Interventions are aimed at helping the child cope with psychological impacts, rebuild self-confidence, and support the recovery and mental well-being process so that the child is not ostracized by peers or shunned due to behavior perceived [4] as having caused harm to others or committed a crime with others, and to break the cycle of violence where, if the child as the perpetrator commits acts of violence against others and there are victims, at the very least, such incidents must not be allowed to recur.

Children should be taught from an early age to respect others and to cultivate empathy and care for others, and support from family and the community is essential for children, as a harmonious family and community environment will have a positive and beneficial impact on a child's development

Support for children who have committed acts of violence is an integrated process of assistance, guidance, and protection provided to children in conflict with the law due to acts of violence. The goal is to ensure that the children's rights are upheld, that they receive child-friendly justice, and that their psychological well-being and behavior are restored. Forms of support for these children may include counseling, as well as psychological rehabilitation and reintegration, as follows: [12]

1) Counseling support is a form of support provided to gather information in order to offer opportunities or space to the person concerned
2) Psychological counseling is a form of counseling aimed at understanding a child's behavior and psychological changes, as well as their mental health needs; this form of therapy involves the administration of medication to address the trauma the child has experienced.
3) Rehabilitation and reintegration are forms of support that facilitate and provide shelter services to protect individuals from the stigma imposed by society; In the context of rehabilitation, this is often referred to as shelter facilitation or the provision of safe havens which involves providing physical facilities and basic services to protect vulnerable individuals or groups from risks such as extreme weather and

disasters, as well as temporary social support, where children are also placed in The Social Welfare Agency (LPKS) and the child's home environment are considered unsupportive or unsafe; therefore, in order to facilitate the child's rehabilitation and prevent the child from being influenced by others, the child must be placed in a different setting to avoid further negative influence or the commission of criminal acts.

The right to or form of assistance may be provided through:

1) Legal aid, whereby a child has the right to a lawyer or adequate legal assistance a right guaranteed by the state to every person is a right of the accused
2) Psychosocial support related to mental and emotional counseling to help restore the child's psychological well-being. The parties involved in providing legal assistance include the parents/guardians, the Probation Officer (PK) from Bapas, and social workers from DP3A or UPTD PPA.
3)

3.3 Social Welfare and Legal Approaches

Social welfare encompasses various aspects aimed at improving the well-being of society, particularly ensuring that children in conflict with the law continue to enjoy their rights while placed in special correctional facilities for children and are not treated arbitrarily such as by placing them without considering their developmental needs and one of these aspects is ensuring they receive fair treatment [3] equal to that of others, ensuring no violation of the child's human rights, and guaranteeing the child the right to fair treatment. In other words, social welfare for children who are clearly perpetrators of violent criminal acts involves restoring the existing balance and fostering the child's awareness to avoid repeating their actions. Support for children in conflict with the law aims not only to fulfill the child's rights within the judicial process but also to restore their social functioning so that they can resume their roles within the family, school, and community. The social welfare approach complements the legal approach by viewing the child not only as a subject of law but also as an individual with social, psychological, educational, and developmental needs

Social workers play a crucial role by identifying children's social circumstances, strengthening family bonds, providing psychosocial support, fostering skill development, and connecting children with service providers. Support does not end after the legal process but continues through recovery and social reintegration. The social welfare approach also involves families and the community to prevent stigma and support the child's reintegration. This is in line with the role of social workers under the SPPA to assist in the child's recovery, behavioral change, and reintegration into their social environment. Thus, the law and social welfare are complementary: the law provides protection and boundaries, while social work implements them through professional interventions to restore social functioning, change behavior, and support the child's return to their social life

The role of social workers in upholding human rights is to ensure that no one is permitted to commit acts of torture, intimidation, or threats; in practice, this means that children must be treated equally with others and their rights must be protected. Even though a child is clearly a perpetrator of a violent crime, they must be treated equally and protected from violence while in detention. Their basic needs including clothing, food, and shelter [11] must always be met, and the assumption that the child is the perpetrator and should be held solely responsible for the crime committed which caused harm to the victim must be dispelled.

As mandated by the criminal justice system law, a child who has been definitively proven to have committed a criminal offense or is deemed a perpetrator need not be placed

in a Juvenile Correctional Facility (LPKA); rather, social workers can play a role in realizing restorative justice and protection for children in conflict with the law in accordance with No. 11 of 2012 on the Juvenile Criminal Justice System (SPPA), so that children are not punished but rather their rights are upheld to ensure their well-being and that child protection is effectively implemented, by upholding child protection to ensure the enforcement of children's rights through accompaniment [15] as facilitators, trainers, advocates, researchers, and planners; and during the court proceedings to promote social welfare through legal assistance, social workers may carry out or perform the following:

1) For children who are provided with legal representation during their court proceedings, the proceedings are held in private to ensure they are not exposed to the public and to guarantee that the child's rights remain protected without any violation of those rights [18]. Furthermore, if a resolution through diversion is not reached and the case must proceed to court, free legal aid at no cost is provided to child defendants who cannot afford it.
2) After the indictment has been read, the report on the results of the social investigation is also read. The content of this report commonly referred to as "litmas" includes the child's personal information and explains why the child committed the crime or criminal act: whether the child was a victim due to coercion by others or acted solely as the perpetrator in committing an act prohibited by law.
3) Children who are victims and/or witnesses in an investigation must also be present; by appearing in court [16], their testimony can be heard directly. As for children under the age of 5, even though they are not sworn in and their testimony is not considered admissible evidence, they may be present as long as the investigator or judge deems it necessary
4) Using audiovisual communication tools, children who are victims and/or witnesses can be provided with support through remote examinations; however, in [7] network or signal issues often hinder the use of these communication tools. Additionally, psychologists or BAPAS representatives may be absent or struggle to fully understand the procedures for providing such support. Therefore, coordination among relevant parties is essential, as is an understanding of child protection and support, and ensuring that communication networks or devices are not damaged or experiencing technical difficulties and can be used during court proceedings. The existence of several of these obstacles has prompted the government to take immediate action to address and resolve them in order to uphold children's rights and ensure the best interests of the child are realized, thereby promoting the welfare of the nation and the state.

4. CONCLUSION

1) The role of social workers in providing supervision for children in conflict with the law begins at the investigation stage, continues through court proceedings, and includes seeking diversion, providing guidance and social rehabilitation, as well as

reporting and presenting social impact assessments (litmas) to ensure that children's rights are fully realized in accordance with the principles of child protection

2) Assistance for children in conflict with the law is regulated in Article 68 of the SPPA Law and Article 1, point 12, of Law No. 35 of 2014 concerning Amendments to No. 23 of 2002 on Child Protection, which essentially stipulates that children have the right to be accompanied by either a social worker or another companion/social worker during every hearing.

RECOMMENDATIONS

1) There is a need for professional social workers who understand children's rights in monitoring and supervision, so that children receive protection at every stage of the investigation and can overcome their fear and trauma
2) Coordination and cooperation must be significantly improved to ensure the availability of social workers with the necessary skills and capabilities at both the central and regional levels whether through law enforcement agencies, social service institutions, or other relevant parties in providing care and protection for children in conflict with the law.

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