



Criminal Justice Reform, Community Supervision and Social Work in Indonesia

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Abstract

Indonesia's new criminal code is poised to expand non-custodial approaches to sentencing offenders. Enhanced use of alternatives to custody may help reduce Indonesia's prison population, lower re-offending rates, and enable more supervision of offenders in the community. This review article draws on comparative experience of criminal justice reform and the role of international cooperation to illustrate the opportunities and challenges for implementation. It also briefly surveys linkages between social work education and criminal justice in Indonesia. There are five key observations. First, experience from other jurisdictions suggests that enabling laws are only the first step. The legal proliferation of community-based sentencing options is not by itself sufficient to shift criminal justice away from a focus on retribution towards increased emphasis on restorative justice and rehabilitation. Second, greater use of non-custodial approaches also requires public engagement, sustained political will, and a disciplined public policy focus with a regulatory framework, supporting institutions and predictable resources. Third, professional social work associations, training institutions, and social workers at the intersection of the state, the offender, and the community, have a key role to play in enabling the transition to a more humane approach to criminal justice. Fourth, Indonesian efforts to align with ASEAN regional standards for the integration of social work in the justice sector is a work still in progress. Finally, outreach to international partners and to neighbouring jurisdictions may be helpful to compare experiences, identify effective ways of working, and pilot new approaches.

Keywords: Community Supervision, Criminal Justice Reform, Social Work, Indonesia, Prison

Introduction

This review article has three objectives: to situate Indonesia's legislative shift towards non-custodial sentencing in a comparative international context; to affirm the promise of non-custodial approaches while underscoring the vulnerability of criminal justice reforms to shifts in politics and public opinion, poor implementation, and pressures on resources; and to illustrate the role of international cooperation in criminal and juvenile justice reform.

Indonesia is on the threshold of potentially transformative changes in its approach to criminal justice. A new criminal code was passed by the Indonesian Parliament in 2022, and officially promulgated as Law No. 1 of 2023. It replaces the Dutch colonial code which was enacted in 1946. The new code comes into force in 2026.

From the perspective of implementation, an equally important legislative process calls for a revision of the Indonesian Criminal Procedure Code (RKUHAP) which provides the rules and operational guidance for all aspects of the criminal justice process, from arrest and investigation to sentencing. The criminal procedure code informs the responsibilities and conduct of key justice stakeholders, notably judges, prosecutors, and police. And it will impact how citizens and aliens are treated in the context of the principles of fairness, due process, and human rights.

The government has provided opportunities for public input to the drafting of the RKUHAP which is overseen by a special parliamentary commission. Two parliamentary sessions may be needed to complete all the amendments by the end of 2025 enabling implementation of the criminal procedure code alongside the new criminal code itself. It is unclear what preparation there has been for the sensitization and training of all the key stakeholders in the criminal justice system: judges, police, lawyers, correctional staff, and social service providers in the community.

Enabling criminal justice legislation has the potential to shift sentencing beyond imprisonment and fines towards greater use of non-custodial approaches. That in turn may help reduce overcrowding in the large prison population and shift the focus of criminal justice policy towards rehabilitation and restorative justice. According to The World Prison Brief, the Indonesian prison population is estimated to be 273,000 in 2025, with an occupancy rate of 187 per cent. This new era provides both opportunities and challenges as Indonesia navigates the universal problem of balancing the demands of society for punishment and reparation with the principle of rehabilitation.

Methodology

The methodology for this article consists of three elements. First, a literature review of some comparative experiences in criminal justice reform with a focus on non-custodial sentencing. Developed country experience, using the UK as an example, illustrates the challenges facing community-based supervision even in a jurisdiction with a long criminal justice reform history and a wide range of non-custodial sentencing options. Second, the author draws on his experience as a probation officer in the United Kingdom and in international cooperation programs to support youth justice reforms. As a court-based probation officer in London, England the author supervised probation orders, prepared psycho-social reports, visited pre-trial and sentenced prison inmates, and managed a youth diversion program. Case studies of youth justice reform and innovation in Ukraine and Jamaica draw on the author's direct role as a project advisor, and on field visits to youth attendance centres, courts, and community-based organizations, meetings with probation officers, court officials, social workers, and descriptive archived data on project activities and results located at Global Affairs Canada and the Inter-American Development Bank. Third, the author draws on an invited online lecture and discussion with 150 members of an Indonesian professional social work association and on in person discussions with Indonesian social workers, university social work faculty in Jakarta and Bandung, and at two Indonesian state institutions, the West Java BAPAS correction centre, and KPAI, the Indonesian National Commission for Children. Concerns raised by Indonesian interlocutors included the gaps between emerging institutional responsibilities and available human resources, ambiguity, overlap and turf issues among state ministries and agencies responsible for social work and criminal justice, confused public perceptions about the role of social workers, a perceived lack of clearly differentiated skill sets of social workers, university 'centres of excellence' for social work in criminal justice and corrections, opportunities for international cooperation, and learning from neighbouring jurisdictions.

Results

Provisions in the new Indonesian Criminal Code are a vital first step towards a more enabling environment for the increased use of alternatives to incarceration. Experience from other jurisdictions suggests that enabling laws are only the first step. The legal proliferation of community-based sentencing options is not by itself sufficient to shift criminal justice away from a focus on retribution towards restorative justice and rehabilitation. A durable shift towards greater use of non-custodial approaches also requires public engagement, sustained political will, and a disciplined public policy focus with a regulatory framework, supporting institutions and predictable resources. Systematic research and evaluation can help build an evidence base to evaluate the successes and challenges of specific community-based sentencing options.

Two case studies underscore the drivers of reform in countries with high crime rates or an imperative to modernize their criminal justice systems. In Ukraine, the political quest for closer linkages with the European Union prompted the overhaul of the Soviet era youth justice system and its replacement by institutions and practices consistent with European and international standards. Ukrainian outreach to Canada and other international partners led to the development of a Probation Service, youth friendly criminal procedures, and pilot projects for youth supervision in the community. In Jamaica, the impact of violent, drug related gangs and youth crime on tourism and public safety prompted innovative, community-based crime reduction approaches. In both countries, international partners were helpful in the design and funding of pilot projects, underscoring the value of comparing experiences, piloting new approaches, and identifying effective ways of working.

Indonesia's efforts to align with ASEAN guidance on the professionalization of social work and linkages between social work and the wider justice sector is a work still in progress. Notable progress has been made in developing a legal and regulatory framework for the juvenile justice system that accords with international standards. Indonesia has also established the legal framework for social work and national associations of professional social work and social work education. Nevertheless, discussions with Indonesian social work educators and social workers themselves suggest that the profession is still struggling to achieve maturity with a lack of clarity among the wider public about the profession and its distinctive skill set. While Indonesian universities offer social work degrees, there

are few programs that explicitly link social work and criminal justice. The training of BAPAS community outreach officers working with offenders currently appears to be detached from university-based social work programs.

Discussion

Indonesia's new Criminal Code comes at a time of growing global awareness that custody is not always effective in meeting all criminal justice considerations. These often include public safety, punishment, deterrence, reduced recidivism, and rehabilitation. In balancing these complex objectives, the social and communicative elements of sentencing remain important, as does accountability to victims and society (Sentencing Council 2023). While I am somewhat skeptical about claims of a global 'paradigm shift' in criminal justice, there does appear to be renewed international momentum towards non-custodial sentencing options. Long standing criticism of incarceration has led to increasing international emphasis on better understanding the root causes of crime, and on crime prevention and rehabilitation (Middleton and Shepherd 2018). Interest in effective alternatives to custody is driven by several concerns, including the: rising costs of custody; the limited impact of custody and of longer sentences on deterrence; addressing victim impact; high rates of recidivism; the negative impacts of custody on individuals, parenting and families, communities; and a renewed focus on rehabilitation and restorative justice.

The evidence base on the limitations of custody across many jurisdictions has been robust for decades (Yukhnenco 2023; Martinez-Garay 2023; National Institute of Health 2022). In the USA, approximately 68 per cent of inmates released from prison reoffend within three years, in the UK the reoffending rate is about 50 per cent within three years, in Norway about 20 per cent reoffend within two years. While incarceration is necessary to protect the public from dangerous and violent offenders who have committed the most serious crimes, in many jurisdictions large numbers of prisoners are in custody for relatively minor crimes. In the UK, of the 43,000 who received prison sentences in 2022, less than two in five were incarcerated for violent crimes (Major 2023). And among women prisoners, approximately two thirds are incarcerated for non-violent crimes. Prison populations often have high levels of historically marginalized groups, (Black Americans, Indigenous Canadians). Many prisoners grew up in poverty and with deeply troubled family backgrounds. Some have very low educational attainment and may not read or write. Mental health and substance abuse issues are common.

Across much of Europe and in North America, there is a large repertoire of criminal justice alternatives to prison as well as in-custody rehabilitation programs. They include:

- Community supervision
 - Probation orders
 - Community service orders
 - Youth diversion (such as police-initiated, community-based solutions for minor infractions/offences)
 - Electronic monitoring, confinement in designated places
 - Parole and other forms of early release
 - Fines, Suspended sentences, Conditional sentences
- Restorative justice
police or court-mandated diversion or post-sentence programs bringing together victim, offender, and in some cases the community, to address harm and promote reconciliation (Dandurand 2018).
- Inmate Rehabilitation
(vocational training, education courses, mental health and social work counselling, substance abuse programs).

The pitfalls of criminal justice reform

One of the challenges of shifting criminal justice towards non-custodial sanctions is that countries may have no clear or durable model of addressing crime. Approaches to sentencing can change, shifting with the political winds. Governments are highly reactive to public opinion and mass media, some of it based on misinformation and disinformation. Evidence suggests that the public generally overestimate crime rates and underestimate sentence lengths, and that better-informed members of the public are less likely to view sentences as lenient.

Democracies with strong traditions of civil liberties and commitments to international human rights are also prone to periodic 'law and order' campaigns, 'wars on drugs', and 'tough on crime' (*dictadura*) policing and sentencing regimes. Politicians have an understandable preoccupation with public safety.

Professionals (and professional associations) with a stake in non-custodial options therefore need to be alert to potential shifts in criminal justice policies and prepare for more difficult sentencing environments. An ongoing challenge is to strengthen the social service workforce that interacts with the criminal justice system and that can responsibly and effectively advocate for humane, and where appropriate, non-custodial sentencing. That can be achieved through a strong regulatory framework, effective coordination, evidence-based advocacy with other key players, notably police and courts, and certification and training informed by best international practices. The UNICEF Child Protection System Strengthening framework is a potentially useful approach to promote effective coordination and governance for the protection of minors and youth in conflict with the law (UNICEF 2022; 2025).

Drafting new legislation enabling non-custodial sentencing options is thus only the first step. Sustained political will, public engagement and public policy focus is key. Uptake may be slow or limited in the absence of systematic education and advocacy (for judges, police, prosecutors, and publics) or without technical regulations, institutions, and infrastructure, such as halfway houses, youth centres or trained volunteers, paraprofessionals, and NGOs. Systematic and independent research is also vital to establish an evidence base showing what works and what does not in non-custodial sentencing options.

Finally, an enabling governance environment for non-incarceration must include a scaled up and proficient group of trained professionals and/or para-professionals to manage community based programs, from probation and community service orders to, halfway houses or attendance centres, and restorative justice options.

Some Criminal Justice Trends in the United Kingdom

To illustrate shifts in politics, policy, and public opinion, there is a brief discussion of two criminal justice policy issues in the United Kingdom, with particular emphasis on England and Wales. These are: longer sentences and a growing prison population; and the partial privatization of probation service program delivery.

1. Sentencing Trends.

The UK has a mixed approach to sentencing. While most sentences are non-custodial (90 per cent in 2019), and there are many non-custodial options available to judges, the UK has also had periods where incarceration rates have risen sharply. We are in one such moment. Currently, the UK has one of the highest rates of incarceration in Europe with an average cost of GBP 46,800 per prisoner (about USD 60,000). England and Wales, for which statistics are collected separately, has the highest per capita incarceration in Western Europe. It was also comparatively high during the 1980s under Margaret Thatcher. The author saw this first hand and recalls a visit to a Probation Service 'half way house' for released prisoners by William Whitelaw, then Prime Minister Margaret Thatcher's Home Secretary, where he expressed genuine alarm at a 40,000 prison population and was looking for greater use of non-custodial alternatives.

Today, the UK prison population today is approximately 88,000 and has more than doubled since the 1990s. The prisons are overcrowded. They include several Victorian relics built up to 150 years ago. Current prison occupancy rate is about 99 per cent which is financially unsustainable and potentially dangerous for the well-being of staff and inmates alike. A key factor for the growth and overcrowding in prisons is the trend towards longer prison sentences. There are also growing numbers on remand awaiting trial or who have reoffended and been recalled. Some have argued that the over reliance on short prison sentences has added pressure on the prison system and could be remedied by non-custodial supervision and monitoring. Overcrowding has become so serious that the departing Conservative government and the incoming Labour government have between them released up to 10,000 prisoners early. Those decisions are a risky crisis management response with the potential for a backlash in terms of recidivism and negative public opinion.

Since the 1970s, the UK has evolved perhaps the most extensive range of non-custodial sentencing options in Europe (Ashworth 2005). But 'legal proliferation' has not by itself led to a significant decrease in the overall use of custody or moderated 'tough on crime' public and political sentiments that have, for example, led to the reduced sentencing discretion of judges and increased the length of custodial sentences (Independent Sentencing Review 2025).

2. Privatization of UK Probation Services.

In 2014, The Conservative-Liberal Democratic coalition led by then Prime Minister David Cameron announced sweeping changes to the way probation services would be delivered in England and Wales. As explained by British researcher Matt Tidmarsh, the government's logic was that 'greater market (and voluntary sector) involvement in probation services would 'unlock the professionalism, innovation and passion of experts from all walks of life' (UK Ministry of Justice, 2010: 9), reducing

reoffending and enhancing efficiency (Tidmarsh 2019). In *Transforming Rehabilitation: A Strategy for Reform*, the government outlined plans for thirty-five publicly owned Probation Trusts to be replaced by a National Probation Service and 21 privately-owned Community Rehabilitation Companies. The former would manage offenders who posed a high risk of harm to the public; the latter would supervise low-to-medium risk offenders. A 'Payment by Results' mechanism was introduced to remunerate private providers with the intention to facilitate 'innovative' practice.

However, the reforms were to be short-lived. Within four years, the UK Ministry of Justice announced in 2019 that it would bring the management of all offenders back 'in-house', a landmark decision reversing reforms initiated by Chris Grayling the then Justice Secretary. Grayling had ignored warnings that his reforms would not work, and he outsourced the management of all medium- and low-risk offenders in England and Wales to private companies. The Probation Service itself was reduced in size, folded into the Prison Service, and made to focus on more serious crimes and higher risk offenders.

The public sector may be a better delivery vehicle for non-custodial programs than the private, 'for profit' sector. Experience from the UK suggests that performance-based remuneration to private firms managing community orders led to poor outcomes and increasing recidivism rates. An unintended consequence was that magistrates lost confidence in community service orders and gave out far fewer of these non-custodial sentences. The failure of the Grayling reforms led to poorer services for offenders, adding to pressures on prisons and increasing risks to the public. One lesson is that probation is a complex social service that cannot be easily reduced to contractual agreements driven by cost-cutting imperatives. The other is that the UK's probation service reform experiment is a textbook example of how not to contract out social services.

Indonesia and ASEAN Regional Social Service Workforce Strengthening.

ASEAN has developed regional guidance to strengthen the social service workforce in the member states, including Indonesia. The Ha Noi Declaration on Strengthening Social Work towards a Cohesive and Responsive ASEAN Community was adopted in 2020 and provides the overarching framework for a commitment by each of the ten member states to professionalize its social work sector (ASEAN 2020). The Declaration's discussion on social workers and several of its recommendations underscores that 'social workers are professionals' at the core of the social service workforce, and that social work is a 'practice-based profession and an academic discipline that promotes social change and development, ... social cohesion ... and the empowerment of people.' Priority areas for broad national action include strengthening the legal and policy framework for social work; expanding and strengthening education and regulation; developing national councils and associations of social workers; increasing professional recognition, development, and support; and enhancing national, regional, and international collaboration.

One area where Indonesia has taken clear steps to align with the Ha Noi Declaration is the legal and policy framework for social work. The Law on Social Workers No.14, 2019 governs the regulatory framework for accreditation, licensing, and maintenance of professional standards. Under the law, authority is vested in the Independent Indonesian Professional Social Workers Association (IPSPI), established in 2009 with a mandate to develop a code of conduct for social workers, carry out registration, and increase the knowledge, competencies, and practice of social workers. In addition, the Indonesian Social Work Consortium (ISWC), formed in 2011 as part of an ASEAN Social Work Consortium (ASWC), wide social work network initiative, has a mandate to share best practices. IPSPI and other networks and associations are well placed to collaborate with higher education institutions and networks such as the Indonesian Association of Schools of Social Work to organize in-service career development courses that integrate law and social work or 'forensic social work', as the field is often called America.

Recognising insufficient linkages between social work and the justice sectors in Southeast Asia, ASEAN has also developed regional guidance for strengthening the social service workforce in the justice sector writ large (ASEAN 2023). The regional guidance addresses not only adults in conflict with the law but also child protection issues like witness protection, survivors of sexual exploitation and abuse, and alleged perpetrators. The regional guidance calls on member states to: develop clear service specifications and standard operating procedures to ensure that social workers roles and responsibilities are well understood and integrated with other justice sector professionals; develop mechanisms for co-leadership and coordination; strengthen workforce recruitment and retention; plan and budget for workforce needs; develop information management systems; and develop systems of monitoring and evaluation, accountability, and learning. In the conclusion and recommendations, institutional and other arrangements are briefly noted that could support Indonesia

to progressively align with the ASEAN regional guidance to integrate social work with the criminal justice systems and corrections. Several of the foregoing ASEAN themes are taken up in the conclusion.

The Potential Role of Social Work in the Indonesian Criminal Justice System

Trained and qualified social workers could play a significant role supporting diversion programs and court-mandated supervision in the community, as well as in preparing prisoners for early release through parole. In Indonesia, effective implementation of more community-based supervision must address what appears to be a considerable human resource gap. Currently, it is not clear from where this additional workforce will be drawn from. In Western Java province for example BAPAS, the government agency responsible for recruiting and managing community outreach officers, informed the author of plans to scale up its workforce by 3,000 officers to cope with the anticipated surge in non-custodial sentencing.

As underscored in the ASEAN guidance on strengthening the role of social workers in the justice sector, adequate and predictable resource allocation for trained personnel should be complemented by inter-agency coordination and by collaboration among the government, higher education institutions, and professional social work associations on planning, developing, and supporting social workforce requirements (ASEAN 2023). The new criminal code provides a potential opportunity for Indonesian universities to integrate a 'social work in corrections' dimension to their certification programs to upgrade the skills, competencies, and numbers of trained social workers in the criminal justice system.

One of the distinctive skills trained social workers bring to the criminal justice system is an understanding of the family and psycho-social context impacting the behaviour of adults and juveniles in conflict with the law. They also bring professional counselling skills and practical know-how to help offenders navigate the court process and, if convicted, the challenges that will impact their chances of successful rehabilitation. These can include support with housing, employment, education and vocational training, family reintegration, and access to specialized services or programs, for example to address substance abuse and mental health.

Social workers are important in the legal system because they help educate judges and legal professionals who may not have expertise about the social and psychological factors impacting those in the legal system. They provide insights into what both the victims and defendants are going through and may help judges and the legal profession assess such sentencing considerations as criminal responsibility, mental competence, the risk of reoffending, and the prospect for effective rehabilitation. Jurisdictions apply a variety of organizational models to create a cadre of trained social work professionals who bring distinctive skills in their interaction with juveniles and adults in conflict with the law, and with their families and communities. Social workers also interact with other criminal justice service providers, notably judges, prosecutors, legal aid lawyers, prison staff, the police, as well as schools and medical and psychiatric services.

In the UK and much of Europe, the USA and Canada, social workers in a criminal justice and corrections setting are specially trained professionals called probation officers. Social work principles and case management methods can also be used by parole officers supervising prisoners who are released early back into the community. Parole officers are typically employed by the Corrections Department or by a national or provincial Parole Board. Probation officers and parole officers both interact with the corrections, justice, and social service systems.

In Indonesia there is no formal separation of a parole service and a probation service. Instead, their combined functions are performed by 'community outreach officers' who are employed by the recently renamed Coordinating Ministry of Law, Human Rights, Immigration and Correction under the Directorate General for Corrections. These officers are managed by BAPAS, a specialized agency that supervises offenders who have been given early release and offenders who have been diverted from the court system or given an alternative to incarceration through sanctions that require supervision in the community. BAPAS correctional centres are responsible for carrying out, within 72 hours of the alleged infraction, a 'community research report' called the *Litmas*, which provides information on the community and psycho-social context facing the offender and victim.

As a primary function of the Indonesian correctional system, PK (*Pembimbing Kemasyarakatan*, or Community Outreach) officers conduct "community research" (known as *Litmas*). Professional social work education in Indonesia draws on social work theories to inform 'practice' and methods of intervention with clients. These theories include Ecological Systems Theory, Social Learning Theory, Empowerment Theory, and Cognitive Behavioural Theory and associated 'CBT' therapies. These theories enable reasonably comprehensive and informed assessments of the family dynamics, community and cultural environment, and personal resources and capabilities that impact the ability of clients to plan, develop skills, self-advocate and achieve their goals. Currently, the corrections service in Indonesia prepares its PK officers and other staff at the Correctional Science Polytechnic where the

focus is on ethics and practical skills. Except at the broadest level of alignment with social work as a helping profession and with values such as helping vulnerable people help themselves or to assist offenders' community-based reintegration, PK officers do not appear to anchor their research and assessment in explicit social work theories or data-gathering methods, such as the risk-needs-responsivity model, social learning theory, or CBT. The *Litmas* report is, nevertheless, the key document informing the justice system's oversight of offenders' rehabilitation and reintegration in the community. PK officers gather primarily descriptive information through interviews and observation to understand the client's family and community context. They must also assess key risk factors, notably recidivism. Their findings are presented in a report that sets out a course of action, including participation in community-based programs to help offenders' reintegration and lower their risk of reoffending. Currently, community outreach officers in Indonesia are drawn from a variety of backgrounds. They are not required to have a prior social work training and certification to practice. Given the imperative to increase the numbers of PK officers to handle more community-based supervision of offenders, there is scope for BAPAS to professionalize and upgrade its training systems particularly for the *Litmas*, including through a grounding in social work theories.

The status of social work education in Indonesia

Noting the great diversity in social work education across ASEAN countries, David Rose (2024) identified some common challenges, including the low status of social work as a profession, developing the social work academic workforce training and capacity, matching social work education supply with workforce demand, enhancing field-placement systems, and balancing global standards of social work education and Western models of social work with the indigenization and localization of the social work curriculum. Several of these issues are pertinent in the case of Indonesia.

Social work education in Indonesia continues to face challenges that contribute to the absence of a strong public profile for social work as a profession with a distinct and well understood skill set. There continues to be a public perception that conflates social work with volunteerism. An overview of the history and status of social work education in Indonesia notes that the sector is still 'struggling to achieve professional education status' (Fahruddin and Yusuf 2016). While a standardized curriculum has been developed by the Indonesian Association of Schools of Social Work, there is no single formal national standard covering all aspects of social work education in Indonesia, such as accreditation and fieldwork supervision. Social work education is largely university based and concentrated on the island of Java. The value of fieldwork education is diminished by the lack of professionally qualified social workers to supervise and mentor in a field environment. And for the world's largest archipelago and one of the most ethnically diverse countries, distance social work education is still in its infancy.

To prepare the social work profession for greater engagement in all aspects of criminal justice including the increased community supervision of offenders anticipated in the new criminal code, there is an urgent need for a pilot 'Social Work in Criminal Justice and Corrections' course. While I know of two universities, UIN Jakarta and the University of Padjadjaran in Bandung, interested in developing centres of excellence for 'Law and Social Work', there are currently few, if any, courses that integrate social work and criminal justice in Indonesia. In the context of other ASEAN countries, and to illustrate how Indonesian social work education could integrate social work and criminal justice, Thammasat University in Thailand offers a specialist minor in "Social Work in the Justice Process" within the Bachelor of Social Work (BSW) and Master of Social Work (MSW) programs. Specific courses include units on crime theories, social work and criminal justice, working within corrections, direct practice skills with offenders, and justice issues with vulnerable persons and minors.

An Indonesian pilot course in social work and criminal justice could be designed as an online, in-service training program for current practitioners and for senior undergraduate or graduate social work students. It would be delivered in at least six weekly sessions by a combination of academic educators and senior professionals drawn from the legal profession, social work, and policing. The core curriculum would begin with two foundational 'law for social service workers' modules. These modules would examine the new criminal code and revised criminal procedure code, national, regional, and international norms on human rights and due process, sentencing principles and the range of sentencing options for different crimes, the use of pre-trial detention and bail, and the legal conditions for community-based supervision, including probation, early release, and diversion programs. A separate module on juvenile justice would be anchored in principles such as 'best interests of the child', access to legal aid, detention as a last resort, youth diversion, child custody, abuse, and neglect, and working with juveniles and their families, including the use of child-centered interviewing. Other modules would focus on the essential skills for social work in a criminal justice and corrections environment, including their roles and responsibilities working in courts, prisons, correction centres and the wider community. One module would examine and apply social work theories for psycho-social assessment,

'community research reports' such as the Litmas, understanding and mitigating risk factors such as recidivism, and developing individual plans for community-based support. Another module should consider personal safety and ways of working with high conflict clients, as well as special needs populations, such as drug addiction, mental illness, and intellectual disability. A module at the end of the course would use case studies of direct work with offenders and with other criminal justice professionals (prison staff, lawyers, police, judges) who carry considerable authority and specialized expertise, and who may be motivated by different priorities and interests.

An effective social work in criminal justice curriculum would help participants navigate a key professional challenge, namely maintaining social work principles, values, and ways of working, such as the inherent dignity of all individuals, the possibility of constructive change, and client confidentiality, within a wider criminal justice system culture where the key characteristics are sanctions, authority, and the primacy of public order and safety. This is particularly challenging for social work in the extreme institution of prisons where security and custody are paramount and where a mind-set of retribution and control may clash with more humanistic values.

Structured collaboration among universities, professional associations, and key government institutions, such as BAPAS, is essential to ensure that the curriculum is anchored both in social work theory and culturally relevant practice, enabling participants to work effectively with clients, victims, and their families in a variety of criminal justice settings: courts, prisons, correction centres, and in the community more broadly. Establishing an inter-agency council among the key stakeholders, would help with implementation, oversight, and quality assurance. Drawing on participant feedback, council oversight and expert review, the pilot course could form the basis for developing a national core curriculum for Social Work in Criminal Justice endorsed by professional associations and accredited in line with national standards, regulations, and laws.

The special case of juvenile justice

Indonesia's criminal justice system has special provision when children encounter the law. The 1945 Constitution states that 'every child has the right to survival, growth and development and the right to protection from violence and discrimination.' The Juvenile Justice Law of 2012 stipulates that the deprivation of liberty and imprisonment are a last resort. The arrest of a child under 18 should be for a maximum period of 24 hours. Moreover, every child has the right to be kept separate from adults; provided with legal and other assistance; protected from torture, cruel punishment or treatment, and degrading or demeaning treatment; and spared arrest, detainment, or imprisonment; receive justice from an objective and impartial juvenile court. The 2012 Juvenile Justice Law embedded values resonant with the International Convention on the Rights of the Child (CRC), including paying attention to the best interests of the child, the maintenance of child and family well-being, and respect for the opinions, formation, and development of the child. The 2012 law also enables restorative justice and youth diversion approaches for less serious offences. (In Indonesia, diversion cannot be an option for alleged offences that may be punishable by sentences of more than seven years, notably for serious sexual offences and violence).

Finally, the 2014 Law No 35 established an independent Indonesian Child Protection Commission (KPAI) to fulfill and protect the rights of children. KPAI is mandated to investigate complaints from the public, recommend changes in policy and practice, and report suspected violations to the relevant state authorities. KPAI has the potential to play a key role in national child protection. However, as an indication of the current gap between need and capacity to effectively respond, KPAI staff I met reported investigative caseloads of up to 300 complaints per officer.

In the context of sound governance, and drawing on the benchmarking approach *Measuring the Maturity of Child Protection Systems* (UNICEF 2022), a mature, well-functioning juvenile justice system would optimally include the following elements:

- Sustained, high level political and bureaucratic commitment to a child-friendly, community-based and non-custodial approach to children and youth in conflict with the law.
- A criminal/penal code consistent with national, regional, and international human rights norms and frameworks, and with modern approaches to rehabilitation and restorative justice.
- A clear threshold for the age of criminal responsibility, ideally set at fourteen or fifteen years.
- Sentencing approaches that recognize custody as a last resort and that list offences that can be adjudicated by or proscribed for youth diversion and supervision in the community.
- A criminal procedure code enabling access to legal aid and to child-friendly investigation and prosecution methods, balancing the use of discretion by judges, prosecution services and the police with clear standard operating procedures.
- Specialized training in juvenile justice for key professionals such as social workers, police, judges, and lawyers.

- Adequate and predictable allocations of financial and human resources for a continuum of services addressing juvenile crime prevention and response.
- Periodic independent reviews and audits of functions and performance of the juvenile justice system.
- Regular collection of juvenile crime data, including rates of offending, recidivism, pre-trial detention, incarceration, and evidence-based evaluation of youth diversion programs.

A 2024 UNICEF global report card on juvenile justice in Indonesia notes that most of the elements of a child friendly juvenile justice system are already in place. This now includes the 2024 establishment within the police force of a Directorate of Crimes Against Women, Children and Trafficking in Persons. Public hearings on the Criminal Procedure Code provide another opportunity for good practice, perhaps by developing standard operating procedures for all the stakeholders in contact with children in conflict with the law consistent with the Convention on the Rights of the Child and national regulations.

The primary challenge now is effective and measurable implementation. While independent published data and scholarship is limited, there appears to be a mismatch between the relatively high numbers of children and youth entering the criminal justice system and the limited use of diversion and supervision in the community (Haerul and Zainuddin 2023). The development of a coordination mechanism, such as the Juvenile Justice Board in the Philippines, would potentially help to enhance inter-agency coordination and address any issues or gaps that emerge in practice.

International Criminal Justice Projects: Examples from Ukraine and Jamaica

International development assistance has been a source of external funding and technical expertise in the design and implementation of some legal and judicial reform programs. This has included criminal justice reform. The jury is still out on the overall effectiveness of large-scale donor funding to sector-wide justice reforms based on OECD models (Toope 2003; Pasara 2023). Nevertheless, international development programs can sometimes be useful sources not only of additional funding to poorly resourced justice sectors, but also as a vehicle to pilot innovations, to support systematic data collection and evaluation, and to share effective ways of working or 'good practice' on quite specific issues. That might include enhancing legal aid, establishing a probation service, modernizing judicial training, or addressing specific populations, such as young offenders, or specific practices, such as pre-trial detention. There is some emerging evidence along with examples of innovation and good practice in the specific area of juvenile justice and crime prevention (Middleton and Shepherd 2018; Poverty Lab 2021). Following are some lessons from two Canadian government supported projects, in which the author served as a governance expert, that addressed the administration of youth justice and linkages between citizen security and youth crime. The case studies are from Ukraine and Jamaica respectively.

Case Study One: A Probation Service for Ukraine?

Before the popular protests of the so-called Revolution of Dignity in 2014, international partners were working with the government of Ukraine to help modernize its Soviet era public services and prepare conditions that would help pave the way for Ukraine's accession to the EU. This agenda focused on the key aspects of good governance, including an efficient, transparent, and accountable public sector, reduced corruption, free and fair elections, and access to justice for all. The agenda, including justice sector reform, has continued despite all the trials of Ukraine's conflict with Russia.

A well-functioning probation system is one of the pre-requisites for Ukraine's accession to the EU. In addition to the political considerations, the establishment of a fully-fledged probation system was seen to potentially solve several pressing issues in Ukraine. Alternative sanctions, like probation, were seen as a practical solution to a serious infrastructure problem. Several Ukraine prisons are more than a hundred years old. Alternative sentences would reduce pressure on outdated Soviet-era prisons that were costly to run and renovate. Ukrainian administrators were also aware of international evidence showing that community-based interventions were both an effective rehabilitation tool *and* less expensive than incarceration. A client on probation is up to ten times cheaper than managing an inmate in a prison. Secondly, probation provides a more humane alternative to incarceration that is consistent with the human rights standards embedded in international agreements. Ukraine never had probation or equivalent community sanctions with a real focus on correctional treatment and preventing reoffending.

During the Soviet era, Ukraine over-relied on incarceration, a pattern which persisted during the so-called transition to democracy. In 2017, 48% of the inmates in Ukrainian prisons were serving sentences for crimes of minor or medium gravity and which potentially could be referred to probation, saving the state the expense of 1-5 years of incarceration.

With outreach to international partners like Canada, one effort to modernize aspects of the legal and judicial sector was the Ukraine Juvenile Justice Reform Project. The aim of the project was to support the Ukrainian government develop an effective integrated juvenile justice system by improving the criminal justice and social services provided to Ukrainian youth in conflict with the law.

The new system incorporates international juvenile justice standards, including probation, restorative justice, youth appropriate due process, and rehabilitation and reintegration into their communities. Results from the first project phase (pre 2014 Revolution of Dignity) included a new Criminal Procedure Code for which Canada provided input to the sections related to minors. This included provisions for the creation of specialized prosecutors and investigators for young offender cases, the specialization of judges who preside over youth cases, the increased differentiation of youth from adult procedures, and additional protections of the rights of juveniles in criminal proceedings. More than 471 judges and other judicial stakeholders were trained on how Canadian models and other international best practices for youth justice can be applied in their work. Significant progress was made in piloting more effective Youth Justice approaches. This included opening Attendance Centres, introducing youth crime prevention by police through the development of a national school-police program, and developing both a specialized court process for young offender cases, and a rehabilitation program for youth on suspended sentences. A total of 300 youth in conflict with the law directly benefitted from the project in two pilot regions (Ivano-Frankivsk and Melitopol).

Case Study Two: Community Security and Crime Reduction in Jamaica

Crime and violence are the most serious threat to the national security and development of Jamaica, to the integrity of the state, and to the lives of all Jamaicans. Crime also impacts the economic bottom line, threatening to affect tourism, which is a key source of national revenue and employment. The problem has persisted for decades notwithstanding sometimes heavy-handed policing and a 'tough on crime' sentencing approach (Government of Jamaica 2007). Jamaica's homicide rates have been systematically higher than both the regional and global averages for several years. The country's growing involvement in the regional and international drug trade has only added to the policy challenge. In Jamaica, most of the perpetrators and victims of violent crimes are young males ages 15-30 with a pattern of weak or non-existent attachment to labour markets, educational institutions, or stable family environments.

Only 16% of youths in the most at risk project communities grew up with two parents. Other negative effects range from victims' loss of productivity and earnings to child victims' lower school attendance, witnessing abuse in their home or community, to a tendency for children to reproduce violent behaviors when adults. Thus, as social workers know only too well, the consequences of violence can last for generations. Some of the factors contributing to the overall problem of high crime and violence rates in inner-city communities, which affect mainly youth, include the presence of gangs, low levels of employment, education and skills, and lack of access by vulnerable communities to the justice system.

To respond to these complex issues, the Government of Jamaica has traditionally favoured crime control. However, seized with the limited impacts of tough on crime approaches, the Jamaican Ministry of National Security approached international partners to support and help design more community based and non-custodial alternatives. One outcome was the Jamaica Citizen Security and Justice Project (CSJP) delivered for over a decade in three phases. Partners included the Jamaican Ministry of National Security, Global Affairs Canada, the UK Department for International Development, and the Inter-American Development Bank.

CSJP is a multi-faceted crime and violence prevention initiative of the Ministry of National Security focused on building community safety and security. The program provides crime and violence prevention services to 50 at risk communities and supports institutional strengthening of the Ministry of National Security. The purpose of CSJP was to provide alternatives to traditional crime control measures by focusing on violence prevention. To do so, CSJP focused on 3 components:

Component I - Culture Change to promote Peaceful Co-existence and Community Governance: This component included interventions that provide knowledge, skills, and opportunities allowing residents of target communities to challenge and change attitudes that promote or tolerate violence.

Component II – Labour Market activities including workplace training, life skills, job placement, and remedial and formal education programs.

Component III – Community Justice Services sought to increase access to justice services complementary to the formal court system and strengthening of the Ministry of Justice to manage and monitor community justice services.

Lessons from the Ukraine and Jamaica case studies may have implications for Indonesian efforts to enhance community-based supervision of offenders. Necessity can be a driver of change and

innovation. Despite widely different geographic, political, and socio-economic contexts, both countries faced imperatives (EU association in Ukraine, tourism and public safety in Jamaica) that helped shift the focus away from incarceration towards community-based supervision of youth in conflict with the law. Both countries reached out to international partners for advice and learning as they explored new ways to engage troubled youth. The Jamaican experiment was particularly innovative and underscores that the active involvement of NGOs can have positive impacts on public safety and recidivism.

In both countries, probation officers (Ukraine) and social workers (Jamaica) were integral to program delivery. Jamaican social workers helped build community resilience by providing assessments and referrals, counselling, community liaison, and liaison with other professional services. Drawing from Latin American experiences, the community security and justice program (CSJP) was grounded in a theory of change (ToC) that viewed crime and violence as a public health problem. The theory of change linked individual and community risk factors - recognizing the importance of treating *both* the individual and the community. Social workers were critical to implementing the ToC because they combined skills in counselling and psycho-social assessment with practical action to place participants in a variety of educational, vocational and life-skills programs. The supervised community programs served as bridges towards gainful employment and emotional maturity with the potential to help lower risks of recidivism. During my advisory role involvement in Ukraine, the program focus was on standing up a fully-fledged Probation Service. Due to a more constrained regulatory environment, there was less emphasis on non-governmental organizations, para-professionals or volunteers to support community supervision. Laws enabling greater NGO roles in social service delivery have only recently been introduced. By contrast, in Jamaica NGOs are a regular part of the young offender community supervision landscape. In person visits to RISE life management, for example, underscored both the professionalism of trained NGO social service workers, but also the buy in and confidence of youth and local communities. NGOs like RISE have helped enable Jamaican authorities, including the police, to better engage high crime communities and reduce recidivism in Kingston and other towns (Moncrieffe 2013).

Conclusion and Suggestions

Professional social work associations, universities and training institutions, and social workers themselves have a key role to play in enabling the transition to a more humane approach to criminal justice. Social workers in a correctional setting stand at the intersection of the state, society, and their clients and families as they try to balance the viewpoints and meet the needs of each. They are therefore uniquely placed to help implement and promote non-custodial options, and to share lessons learned about what works well or can be improved in the design and management of community-based alternatives to imprisonment. There are several implications from the foregoing discussion for policy and practice:

Governance and Coordination

Establish an Indonesian 'Social Work and Criminal Justice Council' (SWCJC) drawn from government agencies, professional associations, and universities with a long-term vision and practical collaboration to build a professional social service workforce in the criminal justice and correction system. The governance mechanism would operate in a spirit of 'co-leadership' and serve as the fulcrum for oversight and advice, and with a brief to anticipate emerging opportunities and propose solutions for gaps in planning, resources, service delivery, and professional development.

Professionalization

To bridge the human resource gap that is likely to emerge with increased community supervision of offenders, key stakeholders such as BAPAS (reporting to the Coordinating Ministry of Legal, Human Rights, Immigration and Correction), the Ministry of Social Affairs, and professional social work and social work education associations should develop a strategic plan to attract and retain a larger intake of certified social work professionals, preferably university social work graduates. This would go some way towards professionalization, national competency standards, and a viable career path with a recognised and distinct skill set for social workers in the criminal justice system in Indonesia.

Curriculum Development

With oversight and steering from the SWCJC, develop a national core curriculum for 'Social Work in Criminal Justice and Corrections'. The curriculum should be anchored in the real world of criminal justice to build core competencies for practice. It will be strengthened by an academic multi-disciplinary approach, including both criminal justice law and evidence-based social work theories.

Functional Specialization

BAPAS, reporting to the Coordinating Ministry of Legal, Human Rights, Immigration and Correction, should examine the feasibility of a functional specialization of PK officers between those

handling higher risk adult supervision (probation, community service, early release) and those focusing on juvenile justice (youth diversion and restorative justice)

International Cooperation for Pilot Programs and Evidence-based Research

Take advantage of the 'natural laboratory' opportunities provided by greater use of community supervision to rigorously track what is working well and less well in specific supervision and treatment programs. Data gathering and applied research could be developed as a shared project between state agencies, and national and international research institutions. Consider regional and international cooperation to design innovative and culturally grounded pilot programs for community-based supervision of offenders.

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