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Legality and Proportionality of a Twenty-Year Sentence for a Child Convicted of Premeditated Murder

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Abstract

Decision Number 3/Pid.Sus-Anak/2024/PN Pnj imposed twenty years' imprisonment on a child for premeditated murder, raising questions of sentencing legality and proportionality. This normative legal study examines the court's ratio decidendi under Law Number 11 of 2012 on the Juvenile Criminal Justice System through statutory, case, and conceptual approaches, considering legal certainty, justice, and utility. Article 340 of the former Criminal Code prescribed death or life imprisonment as possible penalties, thereby engaging the ten-year juvenile maximum under Article 81(6). The twenty-year sentence consequently exceeded the statutory limit of judicial sentencing authority. Exceeding the prosecutor's requested sentence is analytically distinct from exceeding the maximum sentence authorized by legislation. The study's contribution is to treat the juvenile statutory ceiling as a threshold of legality before assessing judicial discretion, proportionality, and sentencing objectives, while recognizing both victims' interests and the child's prospects for rehabilitation.

Keywords: *Child; Legal Certainty; Premeditated Murder; Proportionality; Sentencing*

A. INTRODUCTION

Juvenile sentencing in Indonesia operates within a statutory regime that limits the penal authority available to judges. Law Number 11 of 2012 on the Juvenile Criminal Justice System establishes a distinct framework for children in conflict with the law rather than merely reducing the punishment applicable to adult offenders.[1] Article 20 preserves the application of juvenile proceedings where an offence was committed before the offender reached the age of eighteen, even when the case

[1] Mahendra Ridwanul Ghoni and Pujiyono Pujiyono, 'Perlindungan Hukum Terhadap Anak Yang Berhadapan Dengan Hukum Melalui Implementasi Diversi Di Indonesia', *Jurnal Pembangunan Hukum Indonesia* 2, no. 3 (2020): 331–42, https://doi.org/10.14710/jphi.v2i3.331-342, p. 339.

is brought before the court after that age, provided that the offender has not reached twenty-one. The sentencing restrictions are further defined by Articles 79 and 81. Article 79 paragraph (2) limits deprivation of liberty to one-half of the maximum imprisonment prescribed for adults, while paragraph (4) permits the application of imprisonment provisions under the Criminal Code only insofar as they do not conflict with the Juvenile Criminal Justice System Law. Article 81 paragraph (6) provides a more specific ceiling for offences punishable by death or life imprisonment: the maximum sentence that may be imposed on a child is ten years' imprisonment. These provisions place juvenile sentencing within a legally bounded system in which the seriousness of an offence does not displace the statutory limits attached to the offender's status as a child.[2] More precisely, Article 79(2) concerns penalties restricting liberty, while Article 81(2) governs imprisonment; Article 81(5) makes imprisonment a last resort, and Article 81(6) fixes a ten-year maximum where the offence carries death or life imprisonment.

The special character of juvenile sentencing is also reflected in the individualized assessment required before a court determines the appropriate sanction. Article 60 of the Juvenile Criminal Justice System Law requires judges to consider the social inquiry report prepared by the Community Supervisor before rendering a decision. The report connects the legal assessment of the offence with the child's personal circumstances, family background, education, social environment, and prospects for rehabilitation. The child's status consequently operates as more than a procedural classification.[3] It affects both the information that must inform judicial reasoning and the range

[2] Makhrus Munajat, 'Sistem Diversi dan Restorative Justice dalam Peradilan Pidana Anak di Indonesia', *Asy-Syir'ah: Jurnal Ilmu Syari'ah dan Hukum* 50, no. 2 (2016): 565–86, https://doi.org/10.14421/ajish.v50i2.243, p. 572.

[3] Faisal Faisal and Derita Prapti Rahayu, 'Reformulasi Syarat Diversi: Kajian Ide Dasar Sistem Peradilan Pidana Anak', *Masalah-Masalah Hukum* 50, no. 3 (2021): 331–38, https://doi.org/10.14710/mmh.50.3.2021.331-338, p. 332.

of punishment legally available to the court. This structure reflects the protective orientation of juvenile justice without eliminating criminal responsibility for serious wrongdoing.

The statutory limits of juvenile punishment become particularly significant when a child commits a serious offence such as premeditated murder. Under the criminal law applicable when the 2024 case was adjudicated, premeditated murder carried one of the most severe penal threats in Indonesian criminal law. The gravity of the offence, the intentional taking of life, and its consequences for the victim and the victim's family provide legitimate grounds for a severe penal response. Those considerations, however, address the seriousness of the offence rather than the legal extent of the court's sentencing authority. Proportionality in juvenile sentencing must therefore account for the gravity of the offence and the culpability of the offender while remaining within the statutory limitations attached to childhood. This study operationalizes proportionality through the legality of the sentencing range, the relationship between offence gravity and individual culpability, the necessity of the sanction imposed, and the balance between the interests of the victim, protection of society, and the child's prospects for rehabilitation and social reintegration. Legal certainty is assessed through compliance with the applicable statutory limits and coherence between legal norms, judicial reasoning, and the operative judgment; justice through the balance between culpability, victim interests, and the special legal status of the child; and utility through the capacity of the sentence to protect society while preserving rehabilitation, education, and reintegration.[4] For this 2024 judgment, the applicable offence provision was Article 340 of the former Criminal Code, which provided alternative penalties of death, life imprisonment, or imprisonment for up to twenty years. Law Number 1 of 2023 on the Criminal Code did not take effect

[4] Syamsuddin Muchtar et al., 'Juvenile Criminal Responsibility in Justice Systems: A Comparative Study of Judicial Interpretations in Indonesia and Australia', *Jambe Law Journal* 7, no. 2 (2024): 371–394, https://doi.org/10.22437/home.v7i2.387, p. 383.

until 2 January 2026 and therefore did not govern the March 2024 judgment.

Decision Number 3/Pid.Sus-Anak/2024/PN Pnj imposed a twenty-year prison sentence on a child convicted of premeditated murder, raising a direct question about the legal limit of juvenile imprisonment. Contemporary accounts identify a ten-year prosecutorial demand. A sentence above that demand is sometimes characterized as ultra petita in criminal-law commentary, but such a difference does not, by itself, establish that the court decided beyond the indictment: the indictment defines the charge to be adjudicated, while judges retain discretion to set punishment within the lawful sentencing range. The distinct and decisive issue is whether the court crossed a maximum imposed by legislation. The former Criminal Procedure Code's Articles 182(4) and 193(1) and the juvenile-specific limitations must therefore be considered separately. Judicial independence or appeals to substantive justice cannot substitute for statutory authorization to impose twenty years of imprisonment on a child.[5]

Existing scholarship has approached juvenile criminal responsibility from several related perspectives. Ghoni and Pujiyono examine legal protection through diversion, while Munajat discusses diversion and restorative justice within the Indonesian juvenile justice system.[6] Hayatuddin et al. focus on the best interests of the child in judicial decisions, and Muchtar et al. examine juvenile criminal responsibility through the interaction between statutory frameworks and judicial interpretation.[7] More directly relevant, Akbari, Savita, and Sarkawi analyze Decision Number 3/Pid.Sus-Anak/2024/PN Pnj by examining judicial considerations and

[5] Derry Yusuf Hendriana, "Menyoal Putusan Ultra Petita dalam Perkara Pidana," Mahkamah Agung Republik Indonesia, November 14, 2025, https://marinews.mahkamahagung.go.id/artikel/menyoal-putusan-ultra-petita-dalam-perkara-pidana-09S; see also Articles 182(4) and 193(1) of the former Criminal Procedure Code (Law No. 8 of 1981).

[6] Ghoni and Pujiyono, 'Perlindungan Hukum Terhadap Anak Yang Berhadapan Dengan Hukum Melalui Implementasi Diversi Di Indonesia'.

[7] Khalisah Hayatuddin et al., "Anak Yang Berkonflik Dengan Hukum Berdasarkan Prinsip Kepentingan Terbaik Bagi Anak," Jurnal Yudisial 17, no. 3 (2024): 411, https://doi.org/10.29123/jy.v17i3.687; Muchtar et al., "Juvenile Criminal Responsibility in Justice Systems," 383.

the issue of *ultra petita*, including the decision from the perspectives of justice, utility, and legal certainty.[8] These studies establish an important foundation for examining judicial reasoning in juvenile cases, but they leave room for a more specific inquiry into the legal character of a sentence that allegedly exceeds the statutory ceiling applicable to a child. The studies of Hayatuddin and Muchtar are cited specifically for the best-interests principle and comparative judicial interpretation, respectively; Munajat is cited for restorative justice and diversion.

A more specific gap emerges from the legal characterization of the twenty-year sentence in Decision Number 3/Pid.Sus-Anak/2024/PN Pnj. Treating the controversy primarily as an *ultra petita* issue does not fully answer whether a court may impose a sentence beyond the maximum punishment permitted by the special juvenile sentencing regime. The two questions involve different limits on judicial power. Judicial discretion may permit a court to depart from the prosecutor's sentencing demand where the punishment remains authorized by law, whereas a statutory maximum determines the outer boundary of punishment that the legislature permits the court to impose. This distinction also affects the role of legal discovery, judicial activism, and substantive justice. These concepts may assist judges in interpreting legal rules or resolving normative ambiguity, but their capacity to justify a sentence beyond an express statutory ceiling requires separate examination. The novelty of this study lies in using that distinction to assess judicial sentencing authority before evaluating the sentence through proportionality, legal certainty, justice, and utility. Unlike the study by Akbari, Savita, and Sarkawi, whose inquiry foregrounds the alleged ultra petita departure from the prosecutor's demand, this study first tests the sentence against the non-derogable

[8] Yulistia Akbari, Tesya Savita, and Sarkawi Sarkawi, 'Pertimbangan Hakim dalam Putusan Ultra Petita Nomor: 3/Pid.Sus-Anak/2024/PN Pnj terhadap Tindak Pidana Pembunuhan Berencana yang Dilakukan oleh Anak', *Jurnal Peradaban Hukum* 3, no. 1 (2025): 6–15, https://doi.org/10.33019/jph.v3i1.24, p. 9.

juvenile maximum in Article 81(6), and only then evaluates proportionality.

Against this background, this study addresses two legal questions: first, how does the ratio decidendi in Decision Number 3/Pid.Sus-Anak/2024/PN Pnj conform to the statutory framework and sentencing limits established by Articles 20, 60, 79, and 81 of the Juvenile Criminal Justice System Law; and second, how should the proportionality of the twenty-year prison sentence be assessed through legal certainty, justice, and utility in light of the legal limits of judicial discretion in juvenile criminal cases? By separating a sentence that exceeds the prosecutorial demand from one that exceeds a statutory sentencing limit, the analysis places legality as the threshold of juvenile sentencing and proportionality as the basis for evaluating the exercise of judicial authority within that legal boundary.

B. RESEARCH METHOD

This study employs prescriptive normative legal research using statutory, case, and conceptual approaches, with legal materials collected through library and documentary research. The analysis focuses on Decision Number 3/Pid.Sus-Anak/2024/PN Pnj, pronounced on 13 March 2024, whose existence is corroborated by the public court register, while the reported twenty-year sentence is supported by contemporaneous accounts attributed to the court spokesperson. As the complete judgment, social inquiry report, and subsequent appellate records were not independently accessible, the study does not presume the judgment's finality or treat unverified judicial reasoning as established findings. The legal analysis examines the documented offence and sentence under Articles 20, 60, 79, and 81 of Law Number 11 of 2012 and Article 340 of the former Criminal Code. Through grammatical, systematic, and teleological interpretation, the study assesses proportionality based on legality, suitability, necessity, and balancing; legal certainty through statutory sentencing limits; justice through victims' interests and juvenile status; and legal utility through public protection, rehabilitation, education, and social reintegration.

C. RESEARCH RESULTS AND DISCUSSION

1. Judge's Ratio Decidendi in the Sentencing of a Child Offender for Premeditated Murder

The ratio decidendi in a juvenile criminal verdict is the basis for the judge's reasoning that connects the facts of the trial, the evidence of the elements of the criminal act, the circumstances of the defendant, and the reasons for the crime. In children's cases, ratio decidendi is not enough to be read as a justification for a criminal charge, because the judge is also obliged to show how the status of the child affects the construction of the sentence. Children who are proven to have committed a criminal offense can still be held criminally accountable, but that accountability must be placed in a different system than the punishment of adults. Satriya emphasized that children who are in conflict with the law are not only placed as subjects who can be held accountable, but also as subjects whose rights must be protected from treatment that contains violence or cruelty.[9] This thinking shows that the ratio decidendi in children's cases must reflect two dimensions at once, namely law enforcement against criminal acts and state restrictions on imposing crimes on children. In the present case, a court spokesperson publicly attributed the disposition to evidence heard at trial and the panel's assessment of substantive, moral, and social justice. These are reported explanations, not independently authenticated passages from the full written ratio decidendi.[10]

The 20-year prison sentence to a child in a planned murder case brings together two regimes that have different normative pressures. The first regime is related to the crime of premeditated murder as a crime against life that has a high level of seriousness. The second

[9] Bambang Satriya, 'Anak Membutuhkan Penegak Hukum Humanis (Analisis Putusan MK Nomor 1/PUU-VIII/2010)', *Jurnal Konstitusi* 8, no. 5 (2011): 649–74, https://doi.org/10.31078/jk852, p. 654.

[10] Riani Rahayu, "Vonis 20 Tahun Pembunuh Sekeluarga di PPU Lebih Tinggi dari Tuntutan Jaksa," detikSulsel, March 14, 2024, https://www.detik.com/sulsel/hukum-dan-kriminal/d-7242016/vonis-20-tahun-pembunuh-sekeluarga-di-ppu-lebih-tinggi-dari-tuntutan-jaksa/amp; kumparanNEWS, "Pembunuh Satu Keluarga di Kaltim karena Cinta Ditolak Divonis 20 Tahun Bui," March 18, 2024, https://kumparan.com/kumparannews/pembunuh-satu-keluarga-di-kaltim-karena-cinta-ditolak-divonis-20-tahun-bui-22NHA2q9hHd.

regime is related to the juvenile criminal justice system that places children as special legal subjects. Qotrunnada and Zuhdy explained that the crime of murder is not only committed by adults, but can also be committed by children, so the judge's consideration in this kind of case needs to read the criminal responsibility of the child and the basis for the imposition of the verdict carefully.[11] Thus, the analysis of the verdict cannot stop at the fact that premeditated murder is a serious crime. The analysis needs to be directed at the way the judge places the serious crime within the limits of juvenile punishment. Contemporaneous reporting of the court spokesperson identifies premeditated murder committed repeatedly under Article 340 in conjunction with Article 65 of the former Criminal Code, as well as repeated theft under Article 363(1)(3) in conjunction with Article 65; it describes the offender as seventeen at sentencing and records a ten-year prosecutorial demand against a twenty-year disposition. The precise age at the time of the offences and the full wording and sequence of the charges require confirmation against the anonymized primary judgment.[12]

The judge's consideration of the element of premeditated murder is the initial stage in the formation of the ratio decidendi. The elements of intentionality, prior planning, and the act of taking the life of others are the basis for determining whether the child defendant is proven to have committed the criminal act as charged. Proving these elements is important because it determines the legal characterization of the offence. However, proving the elements of the offence is not identical to determining the length of the sentence. Triyani in his study on the imposition of prison sentences on children of violent offenders that result in death emphasized that judges must still base

[11] Altov Akmila Qotrunnada and Mukhtar Zuhdy, 'Pertimbangan Hakim Dalam Menjatuhkan Putusan Terhadap Anak Yang Melakukan Tindak Pidana Pembunuhan', *Indonesian Journal of Criminal Law and Criminology (IJCLC)* 1, no. 2 (2020): 100–107, https://doi.org/10.18196/ijclc.v1i2.9646, p. 104.

[12] Ervan Masbanjar, "Vonis 20 Tahun Penjara bagi Anak Pembunuh Keluarga Babulu," IDN Times Kaltim, March 13, 2024, https://kaltim.idntimes.com/news/kalimantan-timur/vonis-20-tahun-penjara-bagi-anak-pembunuh-keluarga-di-babulu-00-967ds-4fkdtk; Rahayu, "Vonis 20 Tahun Pembunuh Sekeluarga di PPU."

the verdict on valid evidence and on the conditions for imposing prison sentences on children.[13] From this point of view, proving a serious crime only answers the question of criminal offense, while the length of the sentence must still be tested through the special limits of juvenile punishment.

The difference between proving guilt and determining a crime is important because the juvenile criminal justice system is built with a protection orientation. Children who commit serious crimes are not always in the diversion room, especially if the criminal threat is above the specified limit. However, the closure of diversion does not mean the loss of the character of protection for children. Priamsari shows that the search for justice for children through diversion is not enough to be understood as an avoidance of imprisonment, but must be placed on the correct understanding of restorative justice and the influence of the legal process on children's welfare.[14] This view is relevant to affirm that criminal cases in juvenile cases must still consider the future of the child, even if the case at hand is a serious crime.

The status of the child as a defendant should work as a substantive basis in the ratio decidendi. This status is not enough to be referred to as a procedural identity, but must affect the way the judge assesses the child's personal circumstances, social background, possible coaching, and the criminal limits that can be imposed. Muchlis places the principle of the best interests of children as an important basis in the juvenile criminal justice process, including through minimum intervention strategies and the protection of children's rights during the legal process.[15] In this connection, the judge needs to show that the punishment is not only directed to

[13] Yulista Triyani, 'Pertimbangan Hakim Dalam Penjatuhan Pidana Penjara Terhadap Anak Pelaku Tindak Pidana Kekerasan Yang Mengakibatkan Kematian (Studi Putusan Nomor: 17/Pid.Sus-Anak/2019/PN.Ptk)', *Verstek* 10, no. 1 (2022): 214–22, https://doi.org/10.20961/jv.v10i1.64162, p. 215.

[14] Rr Putri A. Priamsari, 'Mencari Hukum Yang Berkeadilan Bagi Anak Melalui Diversi', *Law Reform* 14, no. 2 (2018): 220–235, https://doi.org/10.14710/lr.v14i2.20869, p. 227.

[15] Ahmad Muchlis, 'Penegakan Prinsip Kepentingan Terbaik Anak Pada Penerapan Diversi Dalam Sistem Peradilan Pidana Anak', *Jurnal Hukum Progresif* 12, no. 1 (2024): 66–77, https://doi.org/10.14710/jhp.12.1.66-77, p. 71.

answer the seriousness of the act, but also to keep the child from losing opportunities for coaching and social reintegration. Ratio decidendi, which ignores the substantive function of the child's status, risks shifting the child's case into an adult criminal pattern.

The position of community research reports is also an important part in assessing the quality of the ratio decidendi. The report provides a basis for judges to understand the child's condition more fully, starting from family background, education, social environment, to factors that affect the occurrence of criminal acts. Sahetapy explained that community research reports are one of the judges' considerations in determining sanctions against children, because judges have the option to apply diversion if they are eligible, impose sanctions, or take actions that are considered best for children.[16] In juvenile criminal cases, such considerations cannot be seen as an administrative complement. Community research reports are actually a bridge between juridical facts and the social conditions of children that must be considered before a crime is imposed. For this case, a contemporaneous report quoting the court spokesperson states that the panel agreed with a social inquiry recommendation; however, the recommendation's complete content and the judges' written treatment of it could not be verified because the underlying report and full decision were not obtained. Compliance with Article 60 therefore cannot be determined from the available material alone.[17]

The reported twenty-year sentence and public explanation by the court spokesperson suggest that the court placed substantial weight on the gravity of the conduct and its consequences; this is the author's inference rather than a verified quotation from the written

[16] Elfina Lebrine Sahetapy, 'Peranan Social Report Pada Sistem Peradilan Pidana Anak', *Masalah-Masalah Hukum* 49, no. 3 (2020): 324–332, https://doi.org/10.14710/mmh.49.3.2020.324-332, p. 327.

[17] kumparanNEWS, "Pembunuh Satu Keluarga di Kaltim karena Cinta Ditolak Divonis 20 Tahun Bui," March 18, 2024, https://kumparan.com/kumparannews/pembunuh-satu-keluarga-di-kaltim-karena-cinta-ditolak-divonis-20-tahun-bui-22NHA2q9hHd. This secondary account does not reproduce the underlying social inquiry report.

decision. This emphasis is understandable because premeditated murder is related to the loss of life and suffering of the victim's family. The state through the courts needs to provide a firm legal response to serious crimes. However, criminal firmness should not be released from the limits of juvenile punishment. Pratama and Santoso in their study on the ratio decidendi of the imposition of child penalties shows that the judge's consideration in children's cases must be associated with the provisions of the juvenile criminal justice system and the requirements for the application of diversion.[18] Thus, the judge's ratio decidendi is not enough to only emphasize incriminating matters. The judge must establish a clear relationship between the severity of the offense, the status of the child, the legal limits, and the purpose of the coaching.

The main problem in the 20-year prison sentence for children lies in the possibility of dominating considerations about the seriousness of the crime compared to considerations about the status of the child. The severity of the act is indeed relevant as a reason for punishment, but it cannot remove special limits on children. Christianto shows that the shift in thinking in child protection departs from the recognition that the age limit for criminal responsibility must be associated with ensuring the development of children's lives.[19] This view shows that child protection in criminal cases is not only about examination procedures, but also about state boundaries in imposing sanctions that have an impact on children's future. If the crime against a child is close to the adult criminal pattern, then the ratio decidendi needs to be tested more strictly.

Thus, the judge's ratio decidendi in the punishment of children of premeditated murderers must be read through the relationship between the proof of the crime, the status of the child, the community research report, the criminal limit, and the purpose of

[18] Nasrul Alief Pratama and Bambang Santoso, 'Pertimbangan Hukum Hakim (Ratio Decidendi) Terhadap Penjatuhan Pidana Anak Pelaku Pencabulan', *Verstek* 10, no. 4 (2023): 677–687, https://doi.org/10.20961/jv.v10i4.72649, p. 679.

[19] Hwian Christianto, 'Tafsir Konstitusionalitas Terhadap Batas Usia Pemidanaan Anak', *Jurnal Konstitusi* 8, no. 5 (2011): 733–66, https://doi.org/10.31078/jk855, p. 742.

coaching. The judge's consideration can be understood when placing premeditated murder as a very serious crime. However, this consideration becomes problematic if the child's status does not appear to be working as the basis for criminal restrictions. In children's cases, a good verdict not only validly and convincingly proves the wrongdoing, but also explains why the chosen punishment is still in line with the principles of child protection, the best interests of the child, and the orientation of coaching. Therefore, the ratio decidendi in children's cases must show a balance between firmness against serious crimes and compliance with the special character of the juvenile criminal justice system.

2. Legality and Proportionality of the 20-Year Sentence Based on Legal Certainty, Justice, and Utility

The imposition of a 20-year prison sentence on a child in a premeditated murder case needs to be tested through three measures of legal objectives, namely legal certainty, justice, and utility. The three measures cannot be separated because juvenile criminal verdicts are always in the relationship between criminal offenses, normative limits, children's conditions, victims' interests, and the direction of coaching. Sulardi and Wardoyo place legal certainty, utility, and justice as important measures in juvenile criminal cases, so that the judge's decision is not enough only to see the proven criminal act, but also from the suitability of the crime with the character of the juvenile criminal justice system.[20] This thinking is important because juvenile punishment has different limits than adult punishment. Strict penalties can still be imposed on children, but the strictness must work within the fence of the law that protects children as special subjects. Applied to the case, legality fails if the reported twenty-year sentence is compared with Article 81(6)'s ten-year ceiling; suitability asks whether custody advances legitimate protection, necessity asks whether a lawful shorter measure could suffice,

[20] Sulardi Sulardi and Yohana Puspitasari Wardoyo, 'Kepastian Hukum, Kemanfaatan, Dan Keadilan Terhadap Perkara Pidana Anak', *Jurnal Yudisial* 8, no. 3 (2015): 251–68, https://doi.org/10.29123/jy.v8i3.57, p. 261.

and balancing weighs victim and community interests against the child's status and rehabilitation. Even a positive appraisal of the latter criteria cannot cure a sentence beyond the statutory limit.

The aspect of legal certainty is the starting point because crimes against children must be subject to special provisions that regulate the limits of punishment. In the case of premeditated murder, the criminal threat for adult perpetrators is indeed very heavy. However, children as offenders cannot be placed in the same criminal structure as adults. Legal certainty in children's cases not only means that the defendant is convicted because he is proven to have committed a criminal act, but also that the sentence imposed does not exceed the limit set for the child. If the judge imposes a crime that is close to the pattern of adult punishment, then legal certainty becomes problematic because the special character of the juvenile criminal justice system does not work in real terms. In this framework, the juvenile penalty limit cannot be understood as a technical reduction of the penalty, but rather as a legal instrument that limits the authority of the state in imposing penalties on children. Article 81(6) expressly limits imprisonment to ten years for a child convicted of an offence punishable by death or life imprisonment. Since Article 340 includes those penalties, a twenty-year term exceeds that mandatory statutory ceiling by ten years and, on the reported facts, is legally unauthorized, regardless of the prosecutor's demand.

Legal certainty also requires coherence between norms, considerations, and judgments. Judges can judge that premeditated murder is a very serious crime, but the seriousness must still be translated through special norms of juvenile punishment. Widiartana and Frans emphasized that the sentencing of children must pay attention to juridical, sociological, and philosophical aspects so that children who have served a crime can still become a better person and be accepted back by society.[21] This view shows that legal certainty should not stop at the

[21] Gregorius Septa Widiartana and Mardian Putra Frans, 'Pemidanaan Terhadap Anak Sebagai Pelaku Tindak Pidana Kekerasan Terhadap Anak Studi Kasus Putusan Nomor 19/Pid.Sus-

application of criminal articles, but must move to the criminality of the goal of child protection. Thus, a valid juvenile criminal verdict is not necessarily appropriate in a criminal case if it does not show a clear relationship with the juvenile penal limit. Article 65 of the former Criminal Code addresses concurrence and the aggregation of adult sentencing exposure; it does not expressly displace the juvenile lex specialis in Article 81(6). Neither the multiplicity of offences nor judicial independence or substantive justice supplies an autonomous power to override that maximum. The precise use of Article 65 in the written judgment nevertheless remains to be verified.

The aspect of justice in this case must be read proportionately. Premeditated murder causes serious suffering to victims and victims' families, so the state is obliged to provide a legal response that shows respect for the value of human life. Justice for the victim cannot be ignored just because the perpetrator is still a child. However, justice for victims is not always synonymous with the most severe crimes. Criminal justice must still work within legitimate and proportionate limits. Anwar and Wijaya show that the principle of the best interests for children can have positive implications in the protection of children's rights, but can also cause negative perceptions if the community considers that the decision does not have a deterrent effect.[22] These findings show that justice in children's cases is not on one side only. Judges must maintain a balance between the interests of the victim, the sense of community security, and the protection of the child's future.

Justice for children does not mean the elimination of criminal responsibility. Children who are proven to have committed premeditated murder must still be held accountable for their actions. However, such accountability should not eliminate the

Anak/2018/PN.Jkt.Pst', *Simbur Cahaya*, 31 December 2022, 241–53, https://doi.org/10.28946/sc.v29i2.1945, p. 249.

[22] Mashuril Anwar and M. Ridho Wijaya, 'Fungsionalisasi Dan Implikasi Asas Kepentingan Terbaik Bagi Anak Yang Berkonflik Dengan Hukum: Studi Putusan Pengadilan Tinggi Tanjung Karang', *Undang: Jurnal Hukum* 2, no. 2 (2019): 265–92, https://doi.org/10.22437/ujh.2.2.265-292, p. 269.

fundamental differences between children and adults. Nugraheni emphasized that the principle of the best interests for children requires that every action against children consider its impact on the child's future.[23] This view is relevant to assess the sentence of 20 years in prison because the length of the sentence can affect children's opportunities to get education, coaching, and social reintegration. If the crime imposed puts the child in almost the same position as the adult perpetrator, then justice becomes unequal because the status of the child no longer functions as the basis for special treatment.

Proportionality is at the core of the reading of justice. Proportionate crime is not only measured by the severity of the crime, but also by the age of the perpetrator, the personal condition of the child, the possibility of coaching, the victim's suffering, and the applicable criminal limit. In children's cases, the severity of the crime can be a reason to impose a serious offence, but it cannot be a reason to remove the limit of child protection. A sentence oriented primarily towards retribution, without adequate attention to the child's future, would be difficult to reconcile with the protective and rehabilitative purposes established by juvenile justice law. On this basis, a 20-year prison sentence needs to be assessed critically because it has the potential to blur the relationship between criminal responsibility and child protection.

The usefulness aspect tests whether a 20-year prison sentence really gives constructive results for children, victims, the community, and the juvenile criminal justice system. From the community's perspective, a serious crime can send a message that premeditated murder is a serious crime. From the victim's side, the crime can be understood as a recognition of the suffering that arises due to the loss of life. However, the benefits should not stop at the message of firmness. Septianita emphasized that the juvenile criminal justice system must refer to

[23] Yohana Dwi Wahyu Nugraheni, 'Analisis Pertimbangan Hakim Dalam Penerapan Asas Kepentingan Terbaik Bagi Pidana Anak (Studi Kasus Putusan Nomor: 22/PID.SUS.ANAK/2015/PN Dps.)', *Verstek* 9, no. 2 (2021), https://doi.org/10.20961/jv.v9i2.51082, p. 21.

social reintegration and the principles of restorative justice, as children need to be treated differently from adults. In children's cases, a beneficial decision is one that still provides space for rehabilitation, coaching, education, and returning the child to society.[24]

The benefits also need to be associated with the long-term impact of prison sentences on children. A sentence that is too long can cut a child off from the education, family, and social environment needed to improve themselves. Septianita shows that the prison situation can hinder children's education and even risk worsening children's future if it is not balanced with the right coaching orientation. This thinking shows that the prison sentence against children cannot only be seen as a form of community security, but must also be seen from the opportunity for children to change. If the sentence imposed is more dominant as a long-term confinement, then the value of its benefits becomes weak because it is no longer in line with the rehabilitative goals of the juvenile criminal justice system. These consequences are prospective risks identified through normative reasoning, not empirically established effects on the child in this particular case; no case-specific longitudinal evidence of educational or rehabilitation outcomes was available.

The construction of the legal purpose in this case shows that legal certainty functions as a boundary, justice functions as a measure of balance, and usefulness functions as a direction of punishment. All three must work at the same time. Legal certainty prevents judges from imposing sentences beyond the limits that apply to children. Justice ensures that the criminal justice system still takes into account the suffering of the victim and the status of the child as the perpetrator. The benefits ensure that the criminal does not lose its orientation to coaching and social reintegration. If one of the elements works dominantly, the verdict will lose its balance. A verdict that only pursues certainty can be formalistic. A verdict that only pursues justice for victims can shift to retaliation. Decisions

[24] Hesti Septianita, 'Keadilan Restoratif Dalam Putusan Pidana Anak', *Jurnal Yudisial* 11, no. 2 (2018): 193, https://doi.org/10.29123/jy.v11i2.290, p. 193.

that only pursue social benefits can ignore normative boundaries.

In Decision Number 3/Pid.Sus-Anak/2024/PN Pnj, the reported twenty-year prison term is ten years above the mandatory ceiling established by Article 81(6) for a child whose offence under Article 340 carries death or life imprisonment. That discrepancy raises a prior and independent defect of legality, not merely a question of proportionality or a departure from the prosecutor's ten-year demand. The gravity of the conduct, victims' interests, and the possibility of rehabilitation remain central to proportionality, but only when the sentence is selected within the juvenile statutory boundary.

D. CONCLUSION

Decision Number 3/Pid.Sus-Anak/2024/PN Pnj illustrates the tension between a firm judicial response to premeditated murder and the mandatory limits of juvenile sentencing. On the reported facts, a child was sentenced to twenty years of imprisonment for conduct falling under Article 340 of the former Criminal Code, which carried death or life imprisonment as possible penalties. Article 81(6) of Law Number 11 of 2012 therefore capped the permissible sentence at ten years; the twenty-year disposition exceeded that limit and cannot be justified merely by seriousness, multiple offences, judicial discretion, or a desire for substantive justice. Exceeding the prosecutor's requested term and exceeding the maximum provided by statute are analytically distinct. The former concerns the scope of sentencing discretion within a lawful range, whereas the latter concerns the legality of the punishment itself. A proportionate juvenile sentence must consider culpability, victims' interests, public protection, education, and reintegration, but those objectives must be pursued within the applicable statutory maximum. Full verification of the panel's detailed reasoning and the social inquiry report remains contingent on access to the anonymized written judgment.

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