The Determinant Factors of Collaborative Governance: Enhancing Child Rights Protection for Children in Conflict with the Law

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Abstract: - This study investigates the collaborative governance model used to address children in conflict with the law (CICL) and examines the factors that influence collaboration in handling these cases. The present study applies Structural Equation Modeling (SEM) techniques to survey data using a quantitative approach. Results: Communication, quality of human resources, facilities, infrastructure, and policies significantly influenced collaboration in managing CICL. This is a reminder of the need for these aspects to build trust between partners and to support collective efforts towards strengthening cooperation among all actors related to children in criminal justice. The paper presents an addition to this line of inquiry, introducing new quantitative approaches examining the impact that these dimensions—communication, human resource capacity and competence, facilities, infrastructure services, and institutional rules—that drive collaborative governance models in juvenile justice have on cooperation across sectors targeted towards child offenders.

1 Introduction

Children caught in conflict are termed minors as Children in Conflict with the Law (CICL) for taking more than legal bounds or undertaking criminal acts. Based on the social information processing model, juveniles exhibit delinquent behaviors because of the lack of right cognitions as it is due to exposure or rewards provided by society they become criminals, especially young offenders, [1]. Factors that affect juvenile delinquency include individual (intrapersonal) factors, supervised cognitive functions, and emotional reactions; family is the most important environmental factor influencing an adolescent's involvement with criminality than his/her school or other community settings, [1]. This deviant behavior, as explained by [2], can be immoral and violate the law. Therefore, it is important to increase child protection to prevent deviant behavior and support children's healthy development.

The Indonesian Child Protection Commission KPAI in 2022 recorded 54 children who conflicted with the law in various types of cases, including possession of sharp weapons, perpetrators of abuse, fights, beatings, brawls, theft, murder, traffic accidents, narcotics abuse, pornography crimes, perpetrators of rape and sexual abuse. Protection of children's rights is a very important aspect of law and public policy, [3]. Children involved in the criminal justice system have special needs that must be met so that their rights remain protected, [4].

Encounters with the legal system can have long-lasting impacts on juveniles. These can show up as difficulties in finishing their education, finding jobs, or building healthy relationships. Having a criminal record can hinder their potential and block positive changes in their lives, [5]. Because every juvenile in trouble with the law will have different needs, some might require intensive rehab schedules, while others could need individual or development educational programs. Even the simple determination of social and life skills development is an optimistic definition, [6]. The policies in each country and system related to managing Children in Conflict with the Law (CICL) show a huge gap. This range reflects attempts to fashion responses in ways that would differ for juveniles, based on specific societal, cultural, and legal configurations, [7]. These different approaches will be used to inform best practices and the development of

effective collaborative governance systems for addressing CICL.

In today's world, "Collaborative Governance" is being recognized as one of the approaches towards addressing community issues, particularly to support at-risk children. It can be used for collaborative governance initiatives concerning public policymaking in protection matters overseeing culture change programs or new policies so that kids grow up safe. This serves as a new and innovative development model that benefits from the resources, policies, and expertise of government agencies, industries, NGOs, and civil society in a synergetic manner, [8]. At the end of the day, collaborative governance is all about collective action—providing a way for people from different walks of life to come together to solve shared problems and work toward common goals, [9]. This model values inclusiveness, openness, and adherence to accountabilities, generating a high-energy space where diverse views are equally recognized, showcasing synesthetic gain in outcomes.

Against this backdrop, the study aims to examine how the collaboration governance framework is operationalized in tackling CICL and determine contextual influences that drive these collaborations within such a structure. This research, of a quantitative nature, aims to provide a clearer picture regarding the functioning of collaborative governance; explore barriers/facilitators for collaboration, and effective insights that may be applicable in policy-making or real-time practice. By highlighting the nuances of collaborative governance in the field of CICL, this research aims to contribute to the advancement of knowledge and the enhancement of interventions aimed at improving the well-being and rights of children worldwide.

2 Literature Review

2.1 Collaborative Governance Theory

The theory and practice of Collaborative Governance; its defines it as a governing arrangement where one or more public agencies direct engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public or manage public programs or assets, [8]. [10], expressed a broader definition of collaborative governance; is not limited to formal processes, initiated by the government, and the involvement of state and non-state actors. According to [10],

collaborative governance is a structure, process, and policy management that involves not only the government but also the public and private sector to achieve public goals.

In terms of concept, collaborative governance can be defined as a new form of governance process that involves all different stakeholders in working relationships with each other through regular dialogue and interaction in pursuit of common goals, [11]. The main role of collaborative governance is to encourage all stakeholders to achieve common goals with a variety of different resources to create innovative thinking through negotiation and cooperation, [11]. A collaborative concept that allows for cooperation between the three pillars of governance because it is believed that there is a shared vision, this will further foster high participation in the non-government sector. The public and the private sector have ample space to participate in the decision-making process and the management of public affairs. Participation can foster democratic governance which involves the wider community from all levels to determine public agendas and can be a form of transparency in fostering good governance, [12].

The concept of Collaborative Governance has obtained a strong basis before being given guidance by [13] regarding the need for government transition to be faster in managing change based on consensus between the three pillars of governance. Most recently there has been a formulation of a governance model which is a renewal of the old governance concept, namely what is called New Public Governance, [14]. This concept provides an even stronger foundation for the existence of Collaborative Governance because this concept is based on institutional and network concepts (network theory) with a focus on organizations and their environment, [14].

In public administration literature, according to [15], collaborative governance can be viewed from three approaches, namely:

1) Descriptive and explanatory approach. This approach involves explaining and understanding how collaborative governance is carried out in practice. This is an approach that describes what happens in collaborative situations.

2) Normative approach. This approach is more related to ethical considerations, values, and principles that must be followed in cooperation and collaborative action. This includes questions about what should be done in the context of collaborative governance to achieve fair and beneficial results.

3) Instrumental approach. This approach views collaborative governance as a tool or means to achieve certain goals. It deals with thinking about how cooperation can be used as an effective strategy to achieve desired outcomes.

2.2 Children in Conflict with the Law

Children in Conflict with the Law (CICL), or children involved in conflict with the law, are a group of children who are involved in criminal acts or violations of the law. They can have varying degrees of involvement in criminal acts, ranging from minor offenses to serious crimes. The characteristics and motivations behind their behavior can vary widely, [16], [17]. The terms used about children in conflict with the law include teenagers, juvenile law violators, street children, thugs, criminal teenagers, abandoned children, and social scum, [18]. The term also commonly used to describe the problem of child delinquency is juvenile delinquency. Juvenile delinquency can be defined as the actions of minors who violate the rules of community behavior as stated in the law, [19]. A juvenile is a person under 18 years who conflicts with the law', [20].

Several factors can cause children to be involved in conflict with the law. In general, this problem can be arranged into two main categories, namely factors related to the child himself and factors related to his environment, [21]. Other research has also identified various causes of juvenile delinquency, including lack of social supervision originating from family and school [22], complex moral considerations [23], parenting patterns [24], the influence of peers and lifestyle [25], the existence of a subculture of delinquency [26], ineffective family interactions [27], development of adolescent self-concept and level of emotional tension [28], as well as attachment to peers and relationship with father, [29].

Additional research by [30] has also pinpointed the origins of juvenile delinquency, categorized into internal and external influences. Internal factors encompass an identity crisis and limited self-discipline, while external factors comprise familial discord, peer pressure, and unfavorable surroundings. Furthermore, [31] highlights parental supervision deficits, deviation from religious principles, and environmental neglect as contributors to juvenile delinquency. [32] stress the significance of considering four dimensions in understanding juvenile delinquency: family dynamics, peer interactions, community and cultural context, and the impact of social media. These factors interact and intertwine, leading to children's involvement in unlawful activities.

Safeguarding the rights of Children in Conflict with the Law (CICL) within legal, social, and humanitarian contexts is paramount. Protecting the rights of children is a fundamental principle within juvenile justice, with such protection including due process guarantees as well as access to legal representation, confidentiality, and freedom from cruel treatment. The juvenile justice system is geared toward the welfare of CICL and strives for reformatory rather than punitive sanctions that will enable them to lead lives conducive to society. This often includes mediation and restorative justice measures, [33]. Research also points to risk factors identified in children and adolescents that can lead them to become offenders, highlighting the need for early intervention, social support, and educational services aimed at preventing CICL from committing offenses, [34].

2.3 Factors that Influence Collaboration in Handling CICL

Collaborative governance is a complex responsibility in managing Children in Conflict with the Law (CICL), involving multiple components. One of the essential elements for effective collaboration in managing CICL cases is the quality of human resources and communication, [35]. Collaborative efforts can be undermined by a lack of communication and inadequate training, which can lead to failed goals. So the hypotheses stated for 1 & 2 are as follows:

H1: Communication has a positive influence on Collaboration in Handling CICL

H2: Quality of human resources has a positive influence on Collaboration in Handling CICL

Second, the quality of facilities and infrastructure is also important to support collaboration in CICL. It is suggested that detailed resources and infrastructure are prerequisites to promote international cooperation in the area of children formerly convicted of crime by the United Nations Office on Drugs and Crime (UNODC) in 2009. It is vital to provide CICL with the complementary services required for proper treatment and reintegration with well-equipped facilities and available infrastructure to effectively coordinate and deliver human rights-based rehabilitative services for them. Thus, the hypothesis formulated for hypothesis 3 is as follows:

H3: Facilities and infrastructure have a positive influence on Collaboration in Handling CICL

Collaboration in handling CICL is determined not only by practical but also by regulatory and policy aspects. Policies that facilitate and incentivize collaboration are necessary for their sustainability, [36]. On the other hand, legal or regulatory obstacles can severely limit the effectiveness of such collaborative endeavors. Hence, the need of the hour is that policymakers establish laws and policies that acknowledge the critical importance of collaborative governance and allow the combined approach to flourish through an appropriate structure and incentivization of the same. Therefore, the hypothesis proposed for hypothesis 4 is:

H4: Policy and law has a significant effect on Collaboration in Handling CICL

In summary, successful collaborative endeavors aimed at enhancing the welfare and rehabilitation of CICL hinge upon several crucial components, including clear communication, competent human resources, sufficient resources, and infrastructure, as well as supportive policies and legislation. These elements must be meticulously evaluated and attended to to ensure the efficacy of collaborative initiatives. Based on the explanation above, the proposed conceptual framework isis shown in Figure 1.
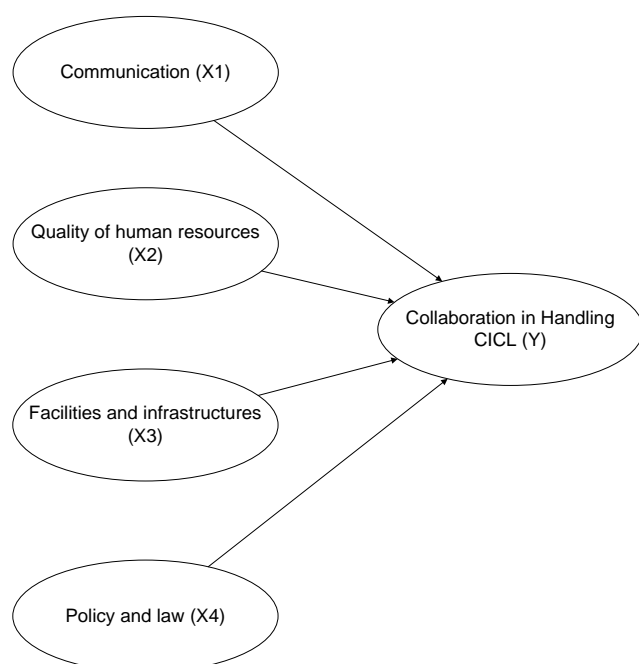

Fig. 1: Conceptual Framework

3 Methodology

This research adopts a quantitative data analysis and employing Structural Equation Modeling (SEM) techniques to rigorously analyze the survey data. Structural Equation Modeling (SEM) helps researchers explore intricate connections among different factors, allowing them to identify causal pathways and measure both direct and indirect impacts, [36], [37], of collaborative governance practices on outcomes relevant to CICL intervention.

The study involves diverse stakeholders familiar with issues related to CICL, including representatives from various organizations and parents/guardians of CICL. Researchers used a method called stratified sampling alongside random sampling to ensure a fair representation of different groups, [38].

This approach ensures that all subgroups are adequately represented, enhancing the accuracy of the study findings. Initially, researchers created a survey titled "Survey on Issues Related to Children in Conflict with the Law (CICL)" using Google Forms. The survey asked respondents to rate their agreement with various statements on a scale from Strongly Agree to Strongly Disagree, [39]. After distributing the survey link to participants in each subgroup, researchers received 105 fully completed questionnaires, representing an impressive response rate of 87.5%.

4 Results and Discussion

4.1 Determinant Factors of Collaboration in Handling CICL

Collaboration in handling CICL is a complex process and involves various stakeholders. Several factors that can influence collaboration in handling CICL include communication, quality of human resources, facilities & infrastructure, and policy & law.

Based on Table 1, it can be concluded, all latent variables have good and decent indicators. These variables are used in full to determine the most dominant indicators in contributing. The best indicator in forming the communication variable is coordination which has the largest factor loading of 0.797. The knowledge indicator is the best in forming the quality of the human resources variable which has the largest factor loading of 0.813. The variable representing availability is the most crucial indicator for facilities and infrastructure, showing the highest factor loading of 0.412. Similarly, within

the policy and law variable, accessibility and legal aid stand out with the highest factor loading of 0.394, highlighting their significant role.

Table 1. Measurement Model Evaluation

Variable	Indicator	Source	Loading Factor	P-value	Conclusion
Communication	Coordination	[35]	0.797	0.000	Significant
	Clarity of Information		0.767	0.000	Significant
	Involvement		0.761	0.000	Significant
Quality of human resources	Knowledge	[35]	0.813	0.000	Significant
	Skill		0.873	0.000	Significant
	Creative Abilities		0.864	0.000	Significant
Facilities & infrastructure	Availability	[17]	0.712	0.000	Significant
	Accessibility		0.705	0.000	Significant
	Condition		0.708	0.000	Significant
Policy & law	Adoption and implementation	[16]	0.791	0.000	Significant
	Legal system performance		0.775	0.000	Significant
	Accessibility and legal assistance		0.794	0.000	Significant
Collaboration in Handling CICL	Contribution	[40]	0.781	0.000	Significant
	Time management		0.738	0.000	Significant
	Problem-solving		0.739	0.000	Significant
	Teamwork		0.705	0.000	Significant

Table 2. Direct Effect Results

The effect between latent variables			Coefficient	P-value	Conclusion
Predictor	→	Respons			
Communication	→	Collaboration in Handling CICL	0.220	0.000	Significant
Quality of human resources	→		0.183	0.000	Significant
Facilities & infrastructure	→		0.046	0.000	Significant
Policy & law	→		0.686	0.012	Significant

The results of the WarpPLS analysis (Table 2) depict that communication, personnel quality, infrastructure, facilities, and policies significantly influence collaboration among different agencies to handle cases related to Children in Conflict with the Law (CICL). This highlights the hierarchy of these factors in facilitating effective collaboration when dealing with CICL. It also emphasizes the requirement of an integrated system involving public authorities, law enforcement, academic organizations, NGOs, and community members. The collective action taken aims to safeguard child rights—for children in or at risk of entering the justice system—while working towards a brighter future.

4.2 Discussion

To further expound on how digital communications, human resources quality, institutional infrastructure, and policies affect the level of collaboration in intervening with Children in Conflict with the Law (CICL), it is important to scrutinize each factor. The continuum of care relationship between these elements has to work together, completing the circle and building a supportive structure for CICL.

Communication is the key to collaborative success with everyone involved in CICL cases—law enforcement, judiciary, social services providers, and community groups. Ineffective communication accentuates differences in case goals, reinforces role ambiguity, and impedes the timely sharing of information, [41]. It includes both written and spoken exchanges, from court sessions to case meetings, [42]. Active listening and empathy also enable stakeholders to identify the problems encountered by CICL and craft holistic, tailor-fitted interventions.

The caliber of personnel is key to addressing CICL. Special training, practical experience, and human qualities like empathy and resilience are required for clinicians working with these juveniles, [43]. This category includes judges, lawyers, police officers, social workers, psychologists, and educators. Growing areas such as child psychology and conflict resolution should be continually addressed in professional development training within the framework of emotional support.

Infrastructure and facilities are vital for the rehabilitation and reintegration of CICL. Children deserve to be placed in safe and appropriate facilities like detention centers and courtrooms [44]. Recommending offenders to education or mental health support carried out by community-based centers provides an essential tool for social

reintegration and lowers the likelihood of recidivism, [45].

Policies and legislation provide the framework for interventions. Child-centered laws that emphasize rehabilitation, rather than punishment, throughout court proceedings, help guarantee child rights, [46]. Policies should help build alternatives to detention and include more pay-back penitence in which prisoners play an active role. Our policies should be based on the best possible evidence and engagement with national key stakeholders—and must continue to change for good societal outcomes, including children's well-being.

4.3 Implications

This study highlights the complexities of collaboration in work and service provision across key stakeholders responsible for the resolution, detention, and rehabilitation of Children in Conflict with the Law (CICL). It underscores the importance of communication, personnel quality, infrastructure, and policies to support collaboration among stakeholders. These findings provide important implications for both theory and practice in the context of collaborative governance, hence deepening our broader understanding of how to continue strengthening a global juvenile justice system.

Empirically, the research contributes to collaborative governance theory by providing new data on the influences of collaboration in juvenile justice. It underscores the importance of interdisciplinary solutions in safeguarding the rights and welfare of CICL, as well as broadening theoretical paradigms to respond to distinctive hurdles advanced by the juvenile justice system. The study supports the integration of inter-organizational collaboration and governance within theories focused on child welfare and rights, stressing communication, personnel quality, and infrastructure. Understanding the intricacies of this integration is key to developing child-focused policies and practices.

Moreover, the results imply that policy analysis theories need to be revised capturing capture how stakeholders relate and interact. This approach offers a more comprehensive way to evaluate juvenile justice policies: not only according to the contents of policy documentation but also with an eye toward how policies encourage cooperation in practice. To assess the effectiveness and impact of juvenile justice policies, a holistic view is required that goes beyond individual provisions or objectives to encompass the context in which it operates and the dynamics at play contributing towards their implementation.

The study underlines the necessity of implementing solid communication templates to assure clear and active discussion between all participants partaking in CICL cases. Formal communication channels and a feedback mechanism that allows bottom-up decision-making to surface so you hear all voices, in both cost-burdensome and service provision.

The study also recommends that the juvenile justice system strategically invest in training personnel as well as infrastructure to facilitate successful collaboration. This includes creating training opportunities for practitioners and child-friendly amenities supportive of rehabilitation in restorative justice contexts. Policymakers are encouraged to review and revise existing laws and policies to better support collaborative practices in managing CICL. This may include legislation for more unified juvenile justice, in which rehabilitation is a priority and cooperation across sectors can be facilitated. Effective collaboration is based on trust among stakeholders. Actions focused on improving mutual understanding, respect, and common determination to ensure the well-being of children can greatly enhance collaboration outputs, such as shared training resources like regular combined training and providing best practices exchange hubs.

Collaborative strategies should be assessed regularly to adapt them as needed in response to the emerging needs of children and the justice system. Creating protocols for periodically reviewing the success of cooperative projects can aid in maintaining positive results.

5 Conclusion

This paper describes the role of collaborative governance in protecting children's rights who are involved in judicial cases. It provides an overview of the contextual causes of juvenile delinquency and discusses strategies for dealing with such cases, underlining the importance of context-specific interventions in partnership collaboration. The salient finding is the importance of collaborative governance to meet CICL's multifaceted needs by protecting their rights and welfare. Proper collaboration for the promotion of children's rights and well-being in the juvenile justice system through communication, personnel quality, infrastructure, and legal frameworks.

Addressing CICL requires collaboration among government sectors and law enforcement agencies as well as academic institutions, NGOs, etc. The

process toward these partnerships starts with very clear and open conversations between all those working together. Establishing solid trust with all parties involved ensures the best results for everyone and never forget where the child is or what they have been through. While not all stakeholders engaged in CICL management are equally enthusiastic about coordinating, a clear commitment to collaborative processes is evident. Everyone knows what their job is and how to discharge it. All the other parties now operatively realize they have a collective responsibility to do something about this instead of squabbling over them individually. This has produced and will produce more encouraging interim results when the collaboration is developed further. We have seen better oversight of CICL cases, improved understanding of the needs and experiences associated with children in conflict with the law, and more proactive actions. The results provide a basis for future optimizations of CICL treatment systems.

Future research could explore various avenues, such as examining specific intervention strategies within collaborative governance frameworks, assessing the long-term effects of these initiatives on the well-being of children involved in legal conflicts, comparing approaches across different regions to identify best practices, evaluating the level of stakeholder engagement, and offering practical recommendations for policymakers and practitioners. By investigating these areas, researchers can enhance our understanding of collaborative governance and its efficacy in addressing the intricate needs of children involved in legal disputes, thus guiding the formulation of policies and practices that safeguard their rights and enhance their well-being.

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The authors wrote, reviewed and edited the content as needed and they have not utilised artificial intelligence (AI) tools. The authors take full responsibility for the content of the publication.

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Conflict of Interest
The authors have no conflicts of interest to declare.