

# Normative Problems of the Criminal Elimination of Children Under 12 Years Against Principle of Equality Before The Law

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**Abstrack** : *This research is intended to examine the existence of criminal sanctions against children under the age of 12 as criminals and how there are regulations that confirm that they cannot be held a criminal responsibility. This gives rise to the view that the Principle of Equality Before the Law is not fulfilled. The transformation of the times has resulted in more and more criminal acts occurring so it does not rule out the possibility that similar things can be done by children under the age of 12. Therefore, it is necessary to carry out legal efforts related to punishment and criminal responsibility for children under the age of 12 who are proven to have done criminal acts (Strafbaarfeit) which are intended as an effort to re-function and learn for children so that justice, equality and legal certainty are met. In studying it, this research uses normative legal research methods and interprets it using prescriptive analysis techniques, namely regarding the study, especially of the Article on the elimination of criminal law as regulated in Article 21 paragraph 1 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and the Article on the elimination of responsibility by Child Offenders, which is regulated in Article 40 of Law Number 1 of 2023 concerning the Criminal Code and is linked to the principle of equality before the law.*

**Keywords** : *Elimination of Child Crime, Equality Before the Law*

**Abstrak** : *Penelitian ini ditujukan untuk mengkaji terkait adanya peniadaan pidana terhadap Anak dibawah usia 12 tahun sebagai pelaku pidana dan bagaimana terdapat aturan yang menegaskan bahwa terhadapnya tidak dapat dimintai pertanggungjawaban pidana. Hal demikian menimbulkan pandangan tidak terpenuhinya Asas Equality Before The Law. Adanya transformasi zaman mengakibatkan semakin banyak tindak pidana yang terjadi sehingga tidak menutup kemungkinan hal serupa dilakukan oleh Anak dibawah usia 12 Tahun. Oleh karena itu perlu dilakukannya upaya hukum terkait pembedaan dan pertanggungjawaban pidana terhadap Anak dibawah usia 12 tahun yang terbukti melakukan Tindak Pidana (Strafbaarfeit) yang ditujukan sebagai upaya refungsionalisasi dan pembelajaran terhadap Anak agar terpenuhinya keadilan dan kesetaraan serta kepastian hukum. Dalam mengkajinya penelitian ini menggunakan metode penelitian hukum normatif dan menginterpretasikannya dengan teknik analisis preskriptif, yakni mengenai kajian khususnya terhadap Pasal peniadaan pidana yang diatur dalam Pasal 21 ayat 1 Undang-Undang Nomor 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak dan Pasal peniadaan pertanggungjawaban oleh Pelaku Anak*



*yang diatur dalam Pasal 40 Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana serta dikaitkan dengan asas kesetaraan dihadapan hukum.*

**Kata Kunci** : Peniadaan Pidana Anak, Equality Before The Law

## I. INTRODUCTION

Equality in various dimensions has always been a problem that is difficult to achieve. There are views from various perspectives that see that there are gaps due to the many differences that require equality. As a form of fulfillment of citizens' rights, Indonesia provides protection through the Law in the Act that regulates it.

Retrieved from Article 27 paragraph 1 1945 Constitution of the Republic of Indonesia Mentioned that "All citizens are equal before the law and government and shall uphold the law and government with no exceptions."<sup>1</sup>. Furthermore, it is also regulated in Article 28 paragraph 1 1945 Constitution of the Republic of Indonesia, "the state provides the right to recognition, guarantees, protection, and certainty of a fair law and equal treatment before the law."<sup>2</sup>. In law, the principle of equality is known as Equality Before The Law, which means that every human being has an equal position before the law.

The differences in races, ethnicity, culture, religion, gender and age have no difference before the law. The law as a guidance to community behavior does not distinguish between human positions from one another. The principle of Equality Before The Law seeks equality as something that is aspired for the realization of welfare.

Although not all matters in which the state guarantees equal treatment for every citizen can be fulfilled, these articles are a form of state responsibility. As with the principle of equality in the age dimension, Indonesian law singles out children as subjects whose rights and duties are fully protected.

Children are the country's hope as the next generation of the nation. In addition to their rights and duties as citizens, children as human beings in the sense of individuals also

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<sup>1</sup> Pasal 27 Ayat 1 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (Republik Indonesia, 1945).

<sup>2</sup> Pasal 28 Ayat 1 Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 (Republik Indonesia, 1945).

have human rights from the moment they are born. Children are the offspring of a married couple. Children in life in society are carriers of happiness for both parents.<sup>3</sup>

Retrieved from Law Number 35 of 2014 About the Second Amendment to Law Number 23 of 2002 About Child Protection (hereinafter referred to as the Child Protection Law), a child is “someone who is not yet 18 years old, including children still in the womb”. Whereas in Law Number 11 of 2012 About the Child Criminal Justice System (hereinafter referred to as the Child Criminal Justice System Law), a child in conflict with the law is a child who has reached the age of 12 years, but not yet 18 years old who is suspected of committing a criminal offense”. The existence of differences regarding the age limit of children can also be perceived as not fulfilling the principle of equality.

This paper is also motivated by many cases of criminal acts committed by children, especially children under the age of 12. One of the cases occurred on January 7, 2023 where 3 (three) elementary school students allegedly raped a kindergarten student in Mojokerto. The three children were 7 (seven) and 6 (six) years old respectively while the victim was 6 (six) years old.

The chronology began when a witness (the victim's caregiver) caught the actions of the perpetrator's child against the victim's child where she was raped by the three perpetrator's children in an empty house not far from the victim's residence. Then the Witness reported this to the Victim's grandmother and mother. After the examination, according to the statement of the perpetrator's children, one of the perpetrator's children had raped the victim five times. Because of this complaint the victim's parents reported the matter to Mojokerto Police for further action.

Based on the results of the *visum et repertum*, it was proven that there was an injury to the victim's intimate organs. The settlement of this case was then resolved by Diversion through a Joint Decision. The joint decision made on 31 January 2023 decided that the three children suspected of raping a kindergarten student would be put into a coaching program, and mentoring for six months at LPKS Yatim Sejahtera in Kembangbelor Village,

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<sup>3</sup> Alfian Mahendra, dan Beniharmoni Harefa, Perlindungan Hukum Terhadap Identitas Anak Sebagai Pelaku Tindak Pidana Dalam Proses Peradilan Pidana (Jurnal Kertha Semaya, 2017) Vol.8 No.10.

Mojokerto. But until now the coaching has not been running due to many considerations for the three Child Perpetrators.

Child protection laws guarantee that children must be protected whether they are perpetrators, victims or witnesses. However, according to Article 21 Paragraph 1 Juvenile Justice System Law, If the child is not yet 12 years old or is suspected of committing a criminal offense, Law Enforcement Officials and Professional Social Workers can determine to hand over the child back to his/her parents or guardians and/or include the child in the coaching process at a special social welfare institution for children.

One of the cases above is one of the many criminal acts committed by Child Perpetrators under the age of 12 years, the existence of modernization and digitalization which causes open access to communication and the internet along with the development of the mindset and behavior of children allows that more cases will occur in the future.

The existence of awareness of a crime committed should be accountable, especially for criminal acts that have severe threats (rape, persecution, and others). The omission of punishment as stated in Article 21 paragraph 1 of the Juvenile Criminal Justice System Law is a form of injustice for victims and society. If it cannot be criminalized, then in the future similar things are likely to occur due to the absence of a form of punishment that should have a deterrent effect.

This research will interpret what are the normative problems of the criminal rules against children under the age of 12 as perpetrators, therefore the omission then creates a sense of inequality and injustice. Indonesia is a state of law that has the principle of equality before the law where everyone is equal before the law both as a perpetrator, victim and witness.

In order to fulfill a sense of justice and equality for both perpetrators and victims, it is necessary to review the legal rules regarding the elimination of criminalization of children under 12 years of age. This research has elements of *novelty* that will be discussed, regarding the novelty of the case that is the background of the problem, the existence of normative rules that do not reflect equality before the law and legal efforts that need to be done as an indication of the need for renewal of juvenile criminal law regulations.

## II. RESEARCH METHOD

In interpreting the discussion related to the criminalization of children under the age of 12, the author uses normative legal research or library research. Normative legal research is a process of finding legal rules and theories to solve legal problems. Therefore, the author uses legislation as the main research material in finding and collecting sources.

In general, legal research using normative methods uses several approaches and in this discussion, the author uses a statute approach and conceptual approach, and this research is also assisted by a legal sociology approach.

The statutory approach is a research approach that prioritizes legal materials, namely laws and regulations as the basis of research.<sup>4</sup> The conceptual approach is a type of approach that provides an analysis of problem solving in terms of legal concepts that become the background. While the conceptual approach is a type of approach that provides an analysis of problem solving in terms of legal concepts that are the background.<sup>5</sup>

There are several legal materials that are used as the basis and source of research, which are divided into primary and secondary legal sources. In collecting research data, the author uses the literature study method. Literature study is a library data collection method carried out by reading and recording and processing research materials from sources or bases that are used as research materials. Where the author examines legal sources or materials such as books, journals, and articles related to the title of this research.

The data analysis technique in this paper uses Prescriptive data analysis techniques which are carried out by interpreting the legal materials obtained, which in this case are laws and regulations. The analysis of the study, especially on the Article of the elimination of punishment and the elimination of responsibility by Child Offenders associated with the principle of equality before the law, using this analysis technique is expected to achieve the purpose of writing and have theoretical and practical benefits for the community.

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<sup>4</sup> Saiful Anam, Pendekatan Perundang-Undangan (statute approach) dalam Penelitian Hukum, (saplaw.top,2017).

<sup>5</sup> Umar Shahudin, Pendekatan Sosiologi Hukum Dalam Memahami Konflik Agraria, (Dimensi, 2017) Vol.10, No.2.

### III. DISCUSSION

#### Normative Problems of the Elimination of Criminalization of Children Under 12 Years of Age

Based on the provisions of Article 1 point 3 regarding the definition in the 1945 Constitution of the Republic of Indonesia, emphasizing that Indonesia is a state of law. Which means that every action of society is regulated by law, both written and unwritten. The law exists to strive for equality and justice for society and to control the behavior of society in order to act according to the values and norms that apply to society.

The people's pattern of behavior and mindset that continues to develop along with the transformation of the times, it is necessary to adjust the rule of law to the behavior of the community. Nowadays, there are more and more cases of criminal acts committed by children, which increases the possibility that the perpetrators can be under the age of 12 years.

According to Alga Jassen, punishment or *straf* is a tool used by law enforcement to give a warning to criminal offenders who have committed an act that cannot be justified in the values, norms and rules of applicable law. Punishment is also a form of reciprocity for a person's actions and will revoke part and or temporarily from the protection that should be received by the convicted person for the right to life, right to freedom, or property against someone who commits a criminal offense.<sup>6</sup> Meanwhile, a criminal offense is an act that is not in accordance with applicable regulations which has been deliberately committed by a person and can be held accountable for his actions.

Regarding the definition of a child in material law, the laws and regulations have different interpretations regarding the age limit of the child. The definition of a child in the 1945 Constitution of the Republic of Indonesia and the Law on Child Protection states that a child is someone who has not yet reached the age of 18, also including children who are still in the womb.

It is also different from what is regulated in Article 150 of Law Number 1 of 2023 concerning the Criminal Code, which states that a child is someone who is not yet 18 years

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<sup>6</sup> Aris Prio Agus Susanto, *Pengantar Hukum Pidana*, (Pustaka Baru Press, 2023), 91.

old.<sup>7</sup> Which is that in the criminal code related to the definition of children there is no lowest age limit regarding children. The existence of multiple interpretations of differences in the age limit of children is one of the things that does not reflect the fulfillment of the principle of equality before the law. Therefore, it is necessary to harmonize the age limit of children with the definition of children in the legislation, in order to realize legal certainty.

Indeed, Indonesia has protected children specifically through the law on child protection, where the state specializes in children both as victims, witnesses or perpetrators before the law. Children in general have received special protection by law in Indonesia. Children in conflict with the law (called Children) are children who are suspected or proven to have committed a criminal offense, that for children in conflict with the law there is a specialization regarding the period of the judicial process which is shorter in time and faster, especially the period of punishment carried out by children is a maximum of only  $\frac{1}{2}$  (one-half) of the general criminal charges.

That there is no punishment for child offenders under the age of 12 years. This is regulated in Article 21 paragraph 1 of Law Number 11/2012 concerning Juvenile Justice. In addition, it is also confirmed in Article 40 of the Criminal Code, which emphasizes that children under the age of 12 cannot be held accountable for the crimes they commit. Therefore, if there are more specific rules regarding the criminalization of children under the age of 12 as Children in Conflict with the Law then it does not reflect the provisions of the principle of equality before the law.

The elimination of punishment for children under 12 years old is regulated according to Article 21 paragraph 1 of the Law on the Juvenile Criminal Justice System, which states that if a child under the age of 12 (twelve) years commits or is suspected of committing a criminal offense, the Investigator, Community Supervisor, and Professional Social Worker can determine the child,

- a. Return them to their parents or guardians; or

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<sup>7</sup> Pasal 150 Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana (Republik Indonesia,2023).

- b. Including them in education, coaching, and mentoring programs at government institutions or LPKS at institutions dealing with social welfare.<sup>8</sup>

Also regulated in Article 40 of Law Number 1 Year 2023 on the Criminal Code (KUHP) which reads, Criminal Responsibility cannot be applied to children who at the time of committing Criminal Acts are not yet 12 (twelve) years old. The elimination of punishment and criminal responsibility for children under 12 years old does not reflect equality before the law.<sup>9</sup>

Criminal responsibility is the effort or necessity of a person because of his actions (criminal) can be held accountable as the rules governing it. In another sense, criminal responsibility is the imposition of punishment to violators of criminal rules.

The underlying reason for criminalization is based on the principle of guilt (Strafbaarfeit). By prioritizing justice and equality before the law, according to a criminal expert Simons, said that the basis for applying criminal liability is the existence of guilt contained in the perpetrator where his actions can be punished.<sup>10</sup>

Based on the theory of criminal responsibility, the elements of Criminal Responsibilities are the ability to be responsible, the relationship between the psychology of the perpetrator and the consequences caused, also the existence of Dolus and Culpa. Meanwhile, the requirements for criminal responsibility are divided into,

- a. Deliberate Delict (Dolus)

The division of types of intentionally divided into three types, among others:

- 1) Deliberate action with intent (opzet als oogemark)
- 2) Deliberate action with awareness of certainty (opzet met bewustheid van zekerheid of noodzakelijkheid)

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<sup>8</sup> Pasal 21 Ayat 1 Undang-Undang Nomor 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak (Republik Indonesia,2012).

<sup>9</sup> Pasal 40 Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana (Republik Indonesia,2023).

<sup>10</sup> By Admin, Teori Pertanggungjawaban Pidana, (Info-hukum.com Jendela Informasi, 2019) <https://info-hukum.com/2019/04/20/teori-pertanggungjawaban-pidana/>



3) Intentional acts with awareness are very likely to occur (opzet met warschijkheidbewustzijn)<sup>11</sup>

b. By Negligence or Recklessness (Culpa)

There are two types of negligence: negligence that causes consequences and negligence that does not cause consequences. Negligence that gives rise to punishment is when negligence causes consequences.

c. Absence of reasons for the elimination of punishment

There is no regulation on the ability to be held responsible in the Criminal Code, instead the Criminal Code regulates the rules on the principle of justification and the principle of forgiveness. The Law on Juvenile Courts states that the age limit for criminalization of children is 8 to 18 years old.<sup>12</sup>

Whereas previously regulated in Law Number 3 of 1997 concerning Juvenile Courts states that the age of criminal responsibility is 8 years, but then a material test was carried out against it. The Constitutional Court Decision No. 1/PUU-VIII/2010 on the judicial review of Law No. 3/1997 on Juvenile Courts against the 1945 Constitution changed the age of criminal responsibility to 12 years old.

The existence of changes related to the age of Criminal Responsibilities is a crucial thing in the child punishment system, how a rule of law seems to loosen the rules against children who do not have the age of 12 years who commit criminal offenses. Therefore, children under 12 years old are not required to carry out criminal responsibility, which actually has consequences.

The existence of material testing related to changes in the age threshold of criminal responsibility is based on several cases where there are several cases that try children under 12 years of age for minor crimes, so that the argument in the Law on Juvenile Courts regarding “at least 8 years...” applies conditionally unconstitutional. It will be conditionally constitutional if the state guarantees the rights of children in the juvenile criminal justice system.

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<sup>11</sup> Aryo Fadlian, *Pertanggungjawaban Pidana Dalam Suatu Kerangka Teoritis*, (Jurnal Hukum Positum, 2020) Vol.5 No.2.

<sup>12</sup> Dwi Rachma Ningtias, Said Sampara dan Hardianto Djanggih, *Diversi Sebagai Bentuk Penyelesaian Perkara Pidana Anak*, (Journal of Lex Generalis (JLS), 2020) Vol.1 No.5.

The ambiguity of some of the things that underlie the change in the age threshold of child criminal liability needs to be reviewed, the development of community behavior patterns and modernization of the times is very possible that many pure criminal acts occur by children who are not yet 12 years old. Therefore, legal efforts must be made so that justice and equality can be fulfilled.

### **Legal Action Against Children Under 12 Years of Age as Criminal Offender**

The elimination of criminal responsibility for children under 12 years of age who commit criminal offenses shows that the principle of equality before the law is not fulfilled. Indeed, the punishment of children is not merely to provide difficulties but is intended as a process of refunctionalization and learning for children so that they can return to behaving as they should.

Although Indonesian criminal law, which is derived from the Netherlands, interprets punishment as a form of suffering, child protection law in Indonesia must ensure that the juvenile justice system can be carried out properly based on the principles of justice, equality and non-discrimination.

As in the Constitutional Court Decision No. 1/PUU-VIII/2010, which changed the age limit of criminal responsibility, there is a need for efforts to reform juvenile criminal law related to age limits based on the increasing number of cases of criminal offenses committed by children who are not yet 12 years old.

One of the things that underlies the judicial review of the Juvenile Court Law is the absence of distinction between juvenile delinquency and criminal offense (*Strafbaarfeit*). Juvenile delinquency or child delinquency is an act that causes social pathological symptoms that may be caused by social neglect encouraging children to behave deviantly from the norms of society.<sup>13</sup>

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<sup>13</sup> Tita Rosita, Yulia Nur Annisa, Manayra Aisha Putri Indradjaja dan Aninda Nurbaeti Rahman, Juvenile Delinquency: Kenakalan Remaja dan Anak dalam Sudut Pandang Psikologi dan Hukum, (Jurnal Hawa, 2023) Vol.5 No.1.

On the other hand, a criminal offense (*Strafbaarfeit*) is an act that violates the law (criminal). Based on these two definitions, there are certainly fundamental differences between the two. Juvenile offenses can be classified as,

- a. Assault on property or wealth (Theft, Robbery).
- b. Attacks on individuals (Murder, Rape, Persecution).
- c. Attacks on public facilities (Vandalism, etc.).

That a criminal act can be indicated that a behavior clearly violates the applicable laws and regulations. In contrast to Juvenile Delinquency which can be classified among others,

- a. Brawl
- b. Drugs
- c. Traffic Violations
- d. Fight with family or run away from home
- e. School Violations, etc.

While it can be seen that child delinquency is an act of the child that violates the norms that apply in society, that child delinquency is also considered as a fault of society that causes the child not to behave as the prevailing norms. That the criminal behavior of children can be broadly classified into (a) criminal offense and (b) status offence.<sup>14</sup> Criminal offence Juvenile delinquency is an act that is considered a crime or offense, while status offence is a juvenile delinquent behavior that is not considered a crime if committed by an adult. Therefore, there needs to be new rules related to indicators to distinguish juvenile delinquency from criminal offenses (*Strafbaarfeit*).

Then related to changes in the age limit of juvenile criminal responsibility, in UN Resolution 40/33 on the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), related to the age limit of juvenile criminal responsibility only provides "guidelines", namely between 7-18 years.<sup>15</sup> This means that the rules regarding the age of criminal responsibility previously stipulated in the Juvenile Court Law 'aged 8 (eight) years' do not violate the rule of law, and can be applied again in the future if

<sup>14</sup> Makhrus Munajat, *Hukum Pidana Anak di Indonesia*, (Jakarta: Sinar Grafika, 2022), 170.

<sup>15</sup> Makhrus Munajat, *Hukum Pidana Anak di Indonesia*, (Jakarta: Sinar Grafika, 2022), 164.

the juvenile criminal justice system has guaranteed the absence of criminalization and protected the basic rights of children.

In line with the fulfillment of State Responsibility, which is based on the theory of state responsibility in terms of fulfillment (To Fulfill) that the state must ensure the fulfillment and implementation of juvenile courts in order to create justice and equality before the law as well as to fulfill the rights of children. The things that need to be done by the state are ensuring judicial facilities and infrastructure such as in the process of investigation, investigation, prosecution and trial of children, the process of detention by the Child Welfare Institution is running well.

In order to enforce the law, it is necessary to pay attention to the performance of law enforcers, investigators from the Police, Prosecutors, Judges and Community Supervisors are fostered to enforce the law based on the applicable laws and still pay attention to the basic rights of children. Therefore, the juvenile justice process can be applied.

It can be concluded that the legal efforts that must be made so that the criminal justice process for children under 12 years of age can be carried out with the need to restore the age limit of criminal responsibility which was originally 8 years in force back into a conditional constitutional.

Because basically this rule does not violate the rights of children if there is a separation between juvenile delinquency and pure crime. Which means that there will be no criminalization of Children who commit Juvenile delinquency and must be subject to criminal liability for Children who are not yet 12 years old who commit Criminal Offenses (Strafbaarfeit).

The existence of these efforts has then been based on the arguments in the material test, namely based on the Constitutional Court Decision Number 1/PUU-VIII/2010, which states that the judicial process against children can be carried out if the judicial process will guarantee the basic rights of children.

The government has undertaken legal reforms, including changes to the substance of law or legislation, but more importantly changes to the legal structure and legal culture. This includes changes to legal ethics and legal science and legal education, as well as changes

to legal ethics and science.<sup>16</sup> So that the changes related to the age limit which is returned to 8 years then it is possible to carry out trials against children under the age of 12 years who commit crimes (*Strafbaarfeit*) will fulfill legal certainty.

Therefore, if the implementation of the juvenile justice system under the age of 12 years with various reform efforts related to age limits and fulfillment of juvenile justice standards so that children under 12 years are equal to children in conflict with the law in general. Thus equality will be possible to be fulfilled as the principle of equality before the law applies.

#### IV. CONCLUSION

The essence of the law is to protect the public interest, there are differences between race, ethnicity, religion, culture and age, so it is necessary to strive for equality, especially equality before the law which is interpreted as the Principle of Equality Before The Law. The existence of punishment should not be solely to provide difficulties to the perpetrator but as a form of lesson.

In juvenile criminal law, children are treated specially and their rights and obligations are protected by the state. As with the applicable material law, there are different definitions and age limits of children in various laws, which can lead to legal uncertainty. This creates challenges in applying the principle of equality before the law.

To achieve better implementation of the criminal justice system for children under the age of 12, it is important to harmonize the definition of children in various regulations. In addition, there needs to be a mechanism that guarantees children's rights in the justice system, as well as taking into account evolving social dynamics so that the law can remain relevant and effective in upholding justice.

The Constitutional Court Decision No. 1/PUU-VIII/2010 which changed the age limit of criminal responsibility needs to be followed by a more comprehensive legal reform, given the increasing number of criminal cases committed by children under that age. It is important to distinguish between juvenile delinquency and criminal offense (*Strafbaarfeit*).

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<sup>16</sup> Angger Sigit Pramukti dan Fuady Primaharsya, *Sistem Peradilan Pidana Anak*, (Media Pressindo, 2015), 48.

The importance of legal reform lies not only in changes to the substance, but also to the structure and culture of the law, which includes an in-depth understanding of the relationship between the development of crime and the dynamics of society. Thus, the state must ensure justice and protection of children's rights through an effective justice system that is responsive to social change.

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### **Legal Regulations**

Putusan Mahkamah Konstitusi Nomor 1/PUU-VIII/2010 Tentang Uji Materiil Undang-Undang Nomor 3 Tahun 1997 Tentang Pengadilan Anak Terhadap Undang-Undang Dasar Negara Republik Indonesia Tahun 1945

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945

Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana

Undang-Undang Nomor 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak

Undang-Undang Nomor 35 Tahun 2014 Tentang perubahan atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak