



---

## JURIDICAL REVIEW OF GRANTING THE RIGHT OF RESTITUTION AS A FORM IMPLEMENTATION OF DIVERSION AGAINST CRIMINAL OFFENSES THEFT IN CHILD CRIMINAL CASES

**Sanusi, Rachmanda, Boma Apriansyah, Alna Salsabilasandi**

Universitas Swadaya Gunung Jati, Indonesia

Email: [sanusi@ugj.ac.id](mailto:sanusi@ugj.ac.id), [rachmanda.1110721@gmail.com](mailto:rachmanda.1110721@gmail.com), [last13knight@gmail.com](mailto:last13knight@gmail.com), [alnasalsabilasnd@gmail.com](mailto:alnasalsabilasnd@gmail.com)

---

### ABSTRACT

Restitution is a supporting factor in the success of the diversion process at various stages, this is based on Government Regulation Number 43 of 2017 concerning the Implementation of Restitution for Children who are Victims of Crime. This research is important to carry out because children are people who are protected by the state and so that the implementation of diversion becomes a priority in resolving children's cases. This research uses a normative juridical approach. The purpose of the study is to explore the obstacles to the process of granting the right to restitution as a form of implementing diversion for the crime of theft in juvenile criminal cases and to examine the procedure for granting the right to restitution in such cases. This research has novel value because it examines the provision of restitution in the implementation of diversion. From this research, it can be seen that restitution can be a means of successful diversion and to find out the obstacles found in the implementation of diversion such as economic constraints, the unwillingness of the parties to carry out diversion and the obstacles that exist in the laws and regulations related to the implementation of diversion.

**Keywords:** restitution, diversion, children

---

### INTRODUCTION

Indonesia is one of the countries that follows technological developments. In fact, technological developments have a big impact on people's lives, including adults, teenagers and children. By making it easier to obtain information in the era of globalization, of course there are impacts that can influence people's behavior, which is divided into 2, namely positive and

negative behavior. Positive behavior is behavior that can have a good influence on society, while negative behavior is behavior that influences the nature of society in a direction that deviates from the culture and culture of society. The negative thing that society gets is that it starts with ordinary deviations, which over time will become a habit in society with the occurrence of unexpected delinquency or crime.

Children, in various laws and regulations, there is pluralism, this happens because each law regulates them in a certain way separately in defining children (Prakoso, 2016). Article 45 of the Criminal Code (KUHP) states that a child is not an adult if the person is not yet 16 years old, in Article 330 paragraph (1) of the Civil Code (Civil Code) A person cannot be said to be an adult if that person is not yet 21 years old unless that person was married before the age of 21 years. Meanwhile, according to Article 1 number 1 of Law Number 3 of 1997 concerning Juvenile Courts (UUPEGNA) states that a child is a person who in the case of a Naughty Child has reached the age of 8 (eight) years but has not yet reached the age of 18 (eighteen) years and has never been married. . Lastly according to Article 1 paragraph 1 According to Law Number 23 of 2002 concerning Child Protection (UUPA) states that a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb.

Negligence can be interpreted as an action carried out due to lack of caution and resulting in losses to other parties. There are various forms of negligence committed by notaries, one of which is a typo or typo in making an authentic deed which can result in the deed's evidentiary value being imperfect. Legal events or legal relationships that occur in society must have binding force for society. A legal event or legal relationship will have binding force if legal certainty. Hens Kelsen as quoted by Peter Mahmud Marzuki, explained that:

Law is a system of norms. Norms are statements that emphasize the "should" or "das sollen" aspect, by including several rules about what must be done. Norms are the product of deliberative human action. Laws containing general rules serve as

guidelines for individuals in behaving in society. These rules become limits for society in burdening or taking action against individuals. The existence of these rules and the implementation of these rules give rise to legal certainty (Marzuki, 2021).

Legal certainty is very synonymous with the understanding of legal positivism. Legal positivism believes that the only source of law is the law, while the judiciary is solely meaningful application laws on concrete events (Rasyidi & Rasyidi, 2004). Laws and laws are not synonymous (Moerad, 2005), despite the fact that law is understood as legislation. Legal certainty is an absolute principle that exists in a legal state as the concept of *rechstaat* was born from a struggle against absolutism so that it is revolutionary in nature, on the other hand the concept of the rule of law develops evolutionarily. This can be seen both from the content and criteria of the *rechstaat* and the rule of the law itself (Philip, 1987). Starting from the desire to realize the law as commander in chief in administering the state, the concept of the rule of law (*rechtstaat*) emerged.

Talking about children is important because children are the potential for human destiny at that timecoming, which plays a role in determining the nation's history, reflecting the nation's attitude to life in the future (Soetedjo & Melani, 2013). Reviewed Philosophically, children are the nation's next golden generation. So, the education provided to children must be paid attention to and maintained properly. In reality, children who are the golden generation often face legal problems. More than 4,000 Indonesian children are brought to court every year for crimes such as theft, extortion, etc. As a result, law enforcers are confused about how to handle a child involved in a crime. Child protection means

protecting the potential of human resources and developing the whole person, towards a just and prosperous society, materially in line with the values of Pancasila and the 1945 Constitution (Nashriana, 2011). Drugs are like swordseyedtwo, on the one hand it is very much needed in the world of medicine and science, while on the other hand its misuse from drugs endangers the future of the nation's generation, the peace of society and threatens the existence of national resilience, so regulations are needed in the form of laws that regulate it so that it can reduce the amount of drug abuse and distribution. According to Article 1 Number 15 of Law Number 35 of 2009 concerning Narcotics, Narcotics abuse is a person who uses narcotics without rights or against the law. Narcotics themselves are actually drugs that are needed in health services, so their availability needs to be guaranteed.

Diversion is regulated by Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. In this case, the process of accountability for child delinquency using a formal judicial process is deemed inappropriate, this is because the formal judicial process ends in imprisonment which will have a negative impact on the physical, psychological and survival of the child. Thus, there needs to be protection for children, both children as victims and children as perpetrators, and there needs to be a process of accountability for child delinquency that takes into account the best interests of the child (Joni et al., 2012). The SPPA Law, which created this regulation to avoid violence in the judicial process and to protect children from public stigmatization of crimes they have committed. The SPPA Law was formed because in the judicial process children have been placed as objects and the

treatment of children also tends to be detrimental to children (Pangemanan, 2015).

Based on the explanation above, the problem to be studied are: (1) what are the obstacles to the process of granting the right to restitution as a form of implementing diversion for the crime of theft in juvenile criminal cases?, and (2) what is the procedure for granting the right to restitution as a form of implementing diversion for the crime of theft in juvenile criminal cases?

## **RESEARCH METHODS**

---

Data collection was carried out using normative methods, namely library research which was used as a formulation contained in statutory regulations which could be used as a basis study. Data analysis in this research is a problem solving procedure that is studied by presenting data obtained from the literature, then analyzed and interpreted by providing conclusions, presented qualitatively according to the components of the research problem and research objectives.

## **RESULTS AND DISCUSSION**

---

### **Obstacles in the Process of Granting the Right to Restitution as a Form of Implementing Diversion for the Crime of Theft in Child Crime Cases**

Diversion is an effort to resolve cases that is motivated by the desire to avoid children from negative effects, especially on children's psychology and child development, which have the potential to occur if case resolution is carried out through the criminal justice system. The implementation of diversion is important and is primarily to guarantee children's rights and to prevent children from being stigmatized by society which labels children

in conflict as delinquent children. Children have special rights and protection, child protection means making every effort to create conditions so that every child gets their rights and carries out their obligations in the interests of children both physically, mentally and socially (Fitriani, 2016). Children have special rights and protection, child protection means making every effort to create conditions so that every child gets their rights and carries out their obligations in the interests of the child physically, mentally and socially. To adapt to several provisions, changes are made to the existing articles by UU no. 35 of 2014 concerning Amendments to Constitution No. 23 of 2002 concerning Child Protection then there was a second change, namely in Law no. 1 of 2016 concerning the Second Amendment to the Top Constitution No. 23 of 2002 concerning Child Protection as well Constitution No. 11 of 2012 concerning the Juvenile Criminal Justice System. In child protection in Indonesia, diversion is introduced as such Constitution No. 11 of 2012 concerning the Juvenile Criminal Justice System. There is discretionary authority possessed by the state to provide protection to children in conflict with the law by transitioning (diversion) from the formal justice process to peace outside of court (Ananda, 2018). Children should be spared from various formal justice processes, such as arrest, detention and imprisonment should be a last resort. The basis for implementing diversion is that it has a form of deliberation with the aim of mediating the conflict between the perpetrator and the victim. From this deliberation it is hoped that the interests of the two conflicting parties can be fulfilled, namely the existence of victims whose losses can be replaced and perpetrators whose future can be saved because they

are protected. from the judicial process and avoid imprisonment (Komariah & Lewoleba, 2021).

Thus, restitution means that it can be used as a solution and effort to succeed in implementing diversion, but it cannot be denied that in implementing this restitution it still has lots constraint (Machmud & Muktar, 2022). Obstacles and Factors in the Implementation of Diversion It appears that there are still many obstacles in the implementation of diversion by investigators and by judges in court. Economic factors are the root of the non-implementation of diversion and restitution, from this root other obstacles arise such as the unwillingness of the parties to make peace with each other and agree to carry out diversion. Other factors are also found within the diversion regulation itself, one of which is related to the regulation of the length of time for diversion which makes it difficult for law enforcement to carry out diversion.

- 1) Economic Factors in the Implementation of Restitution in a family have an important role in understanding the formation of a person's attitudes and personality, economics is the basic thing that causes problems to arise in a person. According to data from the Ministry of Finance, the poverty rate in urban areas in September 2023 was 7.59%. With the high poverty rate, if it is related to the implementation of restitution, the ability of a person or perpetrator to pay restitution will further decrease, which will then cause diversion to fail.
- 2) The unwillingness of the parties to carry out diversion is due to the fact that society still views children as criminals who must be subject to criminal punishment as responsibility for the

actions they have committed. Diversion exists to strive for peace between perpetrators and victims, with diversion the independence of children, both as victims and perpetrators, will be protected (Irawan, 2021). The parties do not want to carry out diversion also because of the distrust of the parties in implementing diversion, this is due to the lack of education regarding the importance of protecting children who are in conflict with the law.

- 3) The parties' ignorance of the implementation of diversion for children in conflict with the law requires more attention and protection so that children can grow and develop according to their age. In fact, the state has regulated the protection of children in conflict with the reform of the juvenile justice system, namely the existence of rights during the judicial process up to the guidance of children undergoing punishment. However, there are still many people who do not know about the importance of protecting children who are in conflict with the law (Triwati & Kridasaksana, 2021).
- 4) Obstacles in Implementing Diversion due to External Factors In theory implementing diversion may look easy to carry out, but in practice diversion is very difficult to implement, that implementing diversion is difficult due to time constraints in terms of implementing diversion, the presence of the SPPA Law provides reform in the punishment of cases juvenile crime, namely by having a shorter period of detention for children. With so many parties participating in the implementation of diversion, it is necessary to coordinate time with all

parties involved in the implementation of diversion (Ristina, 2018).

- 5) Implementation of Restitution as Implementation of Diversion Restitution is a concept of compensation given by the perpetrator or person to the victim. In its implementation, restitution must be in accordance with the principle of restoration to its original state (*restitutio in integrum*), restitution is also an effort to return the victim to the original condition before the crime occurred, although it can be realized that it cannot change the victim of the crime to its original condition. Restitution exists in the hope of being able to provide protection to the victim and to process the victim's selection from the discomfort of the crime they experienced. The form of restitution in question can be in the form of compensation for loss of material, loss of income, suffering, costs for medical and/or psychological treatment and other losses suffered by the victim as a result of the crime (Rahmi, 2019).

In its implementation, restitution to children must be carried out on target, the restitution given must be used appropriately and not misused. Restitution is carried out by being given or received by the child who is the victim or their parent/guardian. This is so that the aim of carrying out restitution is fulfilled, namely returning the child who was the victim to his or her original state. Even though it is a successful effort to implement diversion, it is not uncommon for restitution to be difficult to carry out, there are many factors that influence it accomplished and failure to implement restitution, the most fundamental obstacle is the economic factor of the child perpetrator who is

unable to pay the compensation charged to him.

Children's ignorance of narcotics danger is indeed a tough task for parents and adults to educate them. The reasons why children abuse narcotics are as follows:

- 1) Invitation, persuasion and enticement from friends or peer group members.
- 2) Tend to have mental disorders such as anxiety, obsession (thinking about something over and over again), apathy, social withdrawal, depression, poor ability to deal with stress, or hyperactivity.
- 3) Likes adventure, looking for sensations, doing things that involve excessive risk of danger.
- 4) Ignorance of the dangers of drugs or not thinking about the dangers of drugs.
- 5) Parents are indifferent and do not supervise their children.
- 6) There is no attention, warmth, affection in the family.

Barda Nawawi Arief stated that criminal policy is a policy or effort to overcome crime which is essentially an integral part of efforts to protect society (social defense) and efforts to achieve social welfare. Therefore, it can be said that the ultimate goal or main objective of criminal legal politics is "protection of society to achieve social welfare" (Endri, nd). The general conceptual method is carried out by combining various elements related to criminal justice mechanisms and community participation, namely the method presented by Reckleas in Abintoro which is simply can explained as follows (Prakoso, 2013):

- 1) Increasing and strengthening law enforcement apparatus, including strengthening organization, personnel and infrastructure for resolving criminal cases;

- 2) Legislation that can function to canalize and stem crime with a reach into the future;
- 3) A criminal justice mechanism that is effective and meets the requirements of being fast, precise, cheap and simple;
- 4) Coordination between law enforcement officials and related government officials, to increase efficiency and effectiveness in combating crime;
- 5) Community participation to help smooth implementation of crime control.

Overcoming these five elements is a general concept whose implementation in the form of operational orders must be adapted to the right place, time and circumstances and in harmony with community conditions. To strengthen operational response capabilities, it is also necessary to combine 3 (three) wills; political will, social will and individual will. The government's will (political will) with various efforts needs to be supported by a social image (social will) through various media to carry out the government's will, and the power that must not be forgotten is human or individual will, in the form of awareness to obey or obey the law and always try avoid one-self (not committing) evil. The concept of crime prevention is always influenced by exploring the causes of crime and the nature of crime phenomena. Therefore, in science, criminology is included in the group of social sciences. In reality, crime is not only related to criminal law, but also has a good relationship with the norms that apply in society.

The status of children as perpetrators of criminal drug abuse according to William III and Marliyn Mcshane explained that criminological theories are classified into 3 (three) groups (Mulyadi, 2003):

- 1) Class of abstract theories or macro theories. In principle, these theories describe the correlation between crime and the structure of society.
- 2) Micro theories that are more concrete in nature. This theory wants to answer why someone/group in society commits crime or crimes.
- 3) *Beiding theories* which does not fall into the category of macro / micro theory and describes social structure and how someone becomes a criminal.

Restitution is compensation for losses that can be in the form of material and immaterial, material losses can be in the form of losses due to loss of property, compensation for transportation losses, attorney's fees, or costothers related to legal processes. Meanwhile, immaterial losses can include losses from the process of torture and exploitation experienced by victims, as well as psychological trauma and stigmatization in society experienced by victims. Diversion is carried out with the hope that children can be held accountable for their actions and also to be able to return children to their parents so that children can be avoided from judicial processes that can take away children's rights. This is a form of protection for children who are in conflict with the law. The implementation of protection for children in conflict with the law also aims to create restorative justice. Likewise, restitution as an effort to ensure the success of the diversion process is felt to be a driving force for carrying out diversion in juvenile criminal cases. Restitution is a form of accountability by child perpetrators which is then expected to create a sense of social responsibility within child perpetrators. Restitution should be carried out as an effort to ensure the success of the diversion process in juvenile criminal cases,

this is because restitution produces a win-win solution agreement between both the child perpetrator and the child victim by paying attention to protection for the perpetrator and justice for the victim.

### **Procedure for Granting the Right to Restitution as a Form of Implementing Diversion for the Crime of Theft in Child Crime Cases**

Restitution is compensation given to the victim or their family by the perpetrator or a third party, which can be in the form of returning property, paying compensation for loss or suffering, or compensation for costs for certain actions and based on a court decision that has permanent legal force. Based on the Government Regulation of the Republic of Indonesia Number 43 of 2017 concerning the Implementation of Restitution for Children Who Are Victims of Crime, Article 1 paragraph (1) explains that Restitution is a compensation payment loss imposed on the perpetrator based on a court decision which has permanent legal force for material and/or immaterial losses suffered by the victim or his heirs.

Forms of restitution in criminal law are explained in various laws and regulations relating to children as victims of criminal acts of sexual violence, including: Laws Number 31 of 2014 concerning Protection of Witnesses and Victims, Law Number 35 of 2014 concerning Child Protection, Government Regulation Number 43 of 2017 concerning Implementation of Restitution for Children Who Are Victims of Crime, Government Regulation Number 7 of 2018 concerning Provision of Compensation, Restitution, And Assistance to Witnesses and Victims, Supreme Court Regulation Number 1 of 2022 concerning Procedures for Settlement

of Applications and Providing Restitution and Compensation to Victims of Crime.

Regarding form-restitution from statutory regulations, the forms of restitution are as follows (Republic of Indonesia, 2009):

- 1) Compensation for loss of wealth or income;
- 2) Compensation for losses incurred as a result of suffering directly related to criminal acts; and/or
- 3) Reimbursement for medical and/or psychological care.

Regarding the complete explanation regarding the forms of restitution, namely in Supreme Court Regulation Number 1 of 2022 concerning Procedures for Settlement of Applications and Providing Restitution and Compensation to Victims of Crime, namely as follows:

- 1) Compensation for loss of wealth and/or income;
- 2) Compensation for losses, both material and immaterial, which arise as a result of suffering directly related to criminal acts;
- 3) avoidance of medical and/or psychological treatment costs; and/or
- 4) Other losses suffered by the Victim as a result of the criminal act, including basic transportation costs, attorney's fees, or other costs related to the legal process. Meanwhile, Law Number 35 of 2014 concerning Child Protection only regulates 1 (one) article related to restitution, which regulates several criminal acts for which the right to restitution can be submitted to children as victims, namely Article 71D paragraph (1) and paragraph (2) which states that Further provisions are regulated by government regulations.

To submit an application for the right to restitution at least-lack of mandatory loading (ICJR, 2017):

- 1) Applicant's identity;
  - 2) Description of the criminal act;
  - 3) Identity of the perpetrator of the crime;
  - 4) Description of actual losses suffered; And
  - 5) The form of restitution requested. Apart from that, the application for restitution also includes several additional documents as requirements for the application as follows:
    - 6) Photocopy of the victim's identity which is legalized by the authorized official;
    - 7) Evidence of real losses suffered by the Victim or Family made or authorized by an authorized official;
    - 8) Proof of costs incurred during care and/or treatment authorized by the agency or party carrying out the care or treatment;
    - 9) Photocopy of death certificate in case the victim dies;
    - 10) Certificate from the National Police of the Republic of Indonesia showing the applicant as a victim of a crime;
    - 11) Family relationship certificate, if the application is submitted by the family; And
    - 12) Special power of attorney, if the request for restitution is submitted by the victim's attorney or family attorney.
- Based on Government Regulation Number 43 of 2017 concerning the Implementation of Restitution for Children Who Are Victims of Crime, Article 2 point 2 regulates the procedures for applying for restitution rights as follows:
- 1) Children in conflict with the law
  - 2) Children who are economically and/or sexually exploited;

- 3) Children who are victims of pornography;
- 4) Children who are victims of kidnapping, sales and/or trafficking;
- 5) Children who are victims of physical and/or psychological violence;
- 6) As well as child victims of sexual crimes.

Law Number 12 of 2022 concerning Crimes of Sexual Violence in Article 38 also regulates the procedures for applying for restitution in accordance with statutory regulations. Basically the procedure for applying for and providing compensation to children which being a victim of a criminal act of sexual violence is regulated in the Criminal Procedure Code, Witness and Victim Protection Law, Child Protection Law, Sexual Violence Crime Law, apart from that, technical arrangements regarding technical submissions regarding filing and granting restitution, especially for children who Becoming a victim of a crime is regulated in Government Regulation Number 7 of 2018 concerning the Provision of Compensation, Restitution and Assistance to Witnesses and Victims and Government Regulation Number 43 of 2017 concerning the Implementation of Restitution for Children Who Are Victims of Crime.

## **CONCLUSION**

---

Diversion is a process that must be carried out in juvenile criminal cases if it meets the requirements in Article 7 of the Juvenile Justice System Law. Successful diversion can be achieved if efforts are made by law enforcers and parties participating in the implementation of diversion. Restitution is an effort to achieve successful diversion, providing compensation is a form of accountability for

the criminal actions of child perpetrators against victims. The low success rate for diversion explains that there are still many obstacles in implementing diversion at all levels of the juvenile case process. Likewise, the pursuit of restitution still has many obstacles in its implementation. The main factors that make it difficult to carry out restitution are the economic constraints of the parties and the lack of willingness to make peace between the perpetrator and the victim. Future recommendations to avoid obstacles in implementing restitution include regulating the minimum and maximum fees that can be given by perpetrators who have economic difficulties to victims. And there is a need to provide understanding to the wider community regarding the importance of protecting children who are in conflict with the law.

Restitution is compensation given to the victim or their family by the perpetrator or a third party, which can be in the form of returning property, paying compensation for loss or suffering, or compensation for costs for certain actions and based on a court decision that has permanent legal force. Based on the Government Regulation of the Republic of Indonesia Number 43 of 2017 concerning the Implementation of Restitution for Children Who are Victims of Crime, Article 1 paragraph (1) explains that Restitution is the payment of compensation charged to the perpetrator based on a court decision which has permanent legal force for material losses and/or immaterial suffering suffered by the victim or his heirs

## BIBLIOGRAPHY

---

- Ananda, F. (2018). Penerapan Diversi Sebagai Upaya Perlindungan Hukum Terhadap Anak Pelaku Tindak Pidana. *Jurnal Daulat Hukum*, 1(1).
- Endri. (n.d.). Kebijakan Kriminal dalam Menanggulangi Kejahatan Delik Agama. *Jurnal Ilmu Hukum Riau*, 3(2), 9144.
- Fitriani, R. (2016). Peranan penyelenggara perlindungan anak dalam melindungi dan memenuhi hak-hak anak. *Jurnal Hukum Samudra Keadilan*, 11(2), 250–358.
- ICJR. (2017). *Implementasi PP Restitusi Anak Korban Butuh Kemauan Aparat Penegak Hukum*. <https://icjr.or.id/implementasi-pp-restitusi-anak-korban-butuh-kemauan-aparat-penegak-hukum/>
- Republik Indonesia, (2009).
- Irawan, C. N. (2021). Penanganan Tindak Pidana Pembunuhan Yang Dilakukan Oleh Anak Berdasarkan Restorative Justice. *Jurnal Usm Law Review*, 4(2), 672–687.
- Joni, M., Afnan, W., & Muis, A. (2012). *Penjara [bukan] tempat anak*. Perhimpunan Advokasi Anak Indonesia.
- Komariah, S., & Lewoleba, K. K. (2021). Penerapan Konsep Diversi Bagi Anak Penyandang Disabilitas Pelaku Tindak Pidana Kekerasan. *Jurnal USM Law Review*, 4(2), 586–603.
- Machmud, A., & Muktar, M. (2022). Aspek Hukum Akta Notaris Yang Dibuat Di Luar Wilayah Jabatan Notaris. *Jurnal Justice Aswaja*, 1(1), 21–34.
- Marzuki, P. M. (2021). *Pengantar ilmu hukum*. Prenada Media.
- Moerad, H. P. (2005). *Pembentukan hukum melalui putusan pengadilan dalam perkara pidana*. Alumni.
- Mulyadi, L. (2003). *Kapita selecta Hukum Pidana Kriminologi dan Victimologi Djambatan*. Denpasar: Djambatan.
- Nashriana. (2011). *Perlindungan Hukum Pidana bagi Anak di Indonesia*. Rajawali Pers.
- Pangemanan, J. B. (2015). Pertanggungjawaban Pidana Anak dalam Sistem Peradilan Pidana Indonesia. *Lex et Societatis*, 3(1).
- Philipus, M. H. (1987). *Perlindungan Hukum Bagi Rakyat Indonesia*. Bina Ilmu, Surabaya, 25.
- Prakoso, A. (2013). *Kriminologi dan hukum pidana*. Laksbang Grafika.
- Prakoso, A. (2016). *Hukum Perlindungan Anak*. Yogyakarta: LaksBang PRESSindo.
- Rahmi, A. (2019). Pemenuhan Restitusi Dan Kompensasi Sebagai Bentuk Perlindungan Bagi Korban Kejahatan Seksual Dalam Sistem Hukum Di Indonesia. *De Lega Lata: Jurnal Ilmu Hukum*, 4(2), 140–159.
- Rasyidi, L., & Rasyidi, I. T. (2004). *Dasar-Dasar Filsafat dan Teori Hukum*. Citra Aditya Bhakti.
- Ristina, L. (2018). Peran Jaksa Dalam Penerapan Kebijakan Diversi Terhadap Anak Pelaku Tindak Pidana. *Jurnal Ius Constituendum*, 3(2), 166–178.
- Soetedjo, W., & Melani. (2013). *Hukum Pidana Anak*. Refika Aditama, Bandung.
- Triwati, A., & Kridasaksana, D. (2021). *Pijakan Perlunya Diversi Bagi Anak*

Dalam Pengulangan Tindak Pidana.  
*Jurnal USM Law Review*, 4(2), 828–843.

---

**Copyright holder:**

Sanusi, Rachmanda , Boma Apriansyah, Alna Salsabilasandi (2023)

**First publication right:**

Asian Journal of Engineering, Social and Health (AJESH)

**This article is licensed under:**

