

The Role Of Investigators In Carrying Out Diversion On Children As Perpetrators Of Crimes

(Study At The Deli Serdang Police Office)

Palti Habeahan¹, Rahul Ardian Fikri², Abdul Razak Nasution³

Study program Legal studies, Universitas Pembangunan Panca Budi

Email: habeahanpalti2@gmail.com

Abstract

Children as a vulnerable group face unique challenges in the justice system, both as perpetrators and victims of criminal acts. Addressing children involved in criminal offenses requires a balanced approach that prioritizes restorative justice over repressive measures to ensure their development and rehabilitation. This study examines the role of investigators in implementing diversion—a key aspect of restorative justice—at the Deli Serdang Police Station. It explores how diversion helps prevent stigmatization and reduces the negative impact of the judicial process on children. Additionally, the study identifies obstacles encountered by investigators during the implementation of diversion, including institutional and procedural challenges. The findings aim to enhance understanding of the critical role of law enforcement in protecting children's rights and achieving effective justice.

Keywords :

Restorative justice, diversion, juvenile justice, child protection, police investigators

I. Introduction

Children included vulnerable groups to the occurrence a act criminal offenses with law , good as perpetrator act criminal , as well as as a victim of crime criminal as well as the child who becomes witness act criminal . Various case act crimes involving child must face to face with law is actual and factual issues as symptom social and criminal that has cause concern among parents in particular and society in general as well as enforcer law (Sosiawan , 2016).

Forms crime and crime many crimes done by children including among others theft , abuse drugs , fighting , crime abuse sexual , violation Then cross , and persecution come to the case murder as well as crime motorcycle gang (thugs) whose perpetrators is children . Other facts also show that child in various case must face to face with law as a victim of treatment violence Good violence physical , psychological , violence abuse sexual as well as violence neglect .

The child who did act criminal acts and acts prohibited by law , must be interpreted as inability reason (mind), physical (body) or morals and mentality that exist within oneself child defined by values nature . A child in accordance its nature Still own Power reason that has not been Enough Good For differentiate things good and bad . Action crimes committed by children in general is is a process of imitation or affected persuade seduce from adults (Wadong , 2010).

Constitution Number 35 of 2014 concerning Child Protection jo. Constitution Number 23 of 2002 concerning Child Protection provides clear and comprehensive arrangements about protection the child who is basically aiming For give guarantee and protect their rights so they can live , grow , develop and participate optimally and to obtain protection from violence and discrimination .

Children in general philosophical own important position in a nation , so that need get protection and treatment special , including when child do violation law criminal (offense) criminal child). M. Nasir Djamil state that child No worthy For punished especially entered to in prison. Impact children who go through the legal process until to court will experience mental and psychological stress so that bother grow flower child . Worthy realized that child in conflict with law especially those who are sentenced criminal will get stigmatization that will felt throughout his life . This is the most dangerous thing. because it is very risky ruin the future children (Jamil. 2013).

System justice criminal child whose nature repressive has start abandoned by various countries because considered No effective , so that need alternatively . When This there is breakthrough law criminal toward justice restorative justice which prioritizes recovery . In the interest of best For child so based on Republic of Indonesia Law Number 11 of 2012 Concerning System Justice Criminal Children are possible settlement case criminal through “ diversion ”, which is one of the form application justice restorative in System Justice Child Criminalization . This is also in line with with principle ultimate remidium that keeps away criminalization for child . Diversion become legitimizing beginning settlement case criminal offences court (Dewi , 2011).

Discretion as diversion case criminal become opportunity will success protection child in system justice criminal so that must implemented optimally and appropriately with ideals from justice restorative which becomes spirit or soul from diversion .

Diversion be one of solution from problem System Justice Criminal , starting from accumulation case (burden) justice) and over capacity in correctional institutions , becoming means For give optimal protection for child For avoid it from sanctions criminal acts that are detrimental , beneficial for public Because diversion will prioritize fulfillment justice for all parties (Hariyanto , 2021).

Justice child with use diversion in restorative justice depart from assumption that response or reaction to behavior delinquency child No effective without existence cooperation and involvement from the victim, the perpetrator , and the community . The principles that become base is the best justice served , if every party accept attention in a way fair and balanced , active involved in the judicial process and obtain profit in a way adequate from interaction they with system justice child .

Police as gate first to handle child in conflict with law become determinant whether a child will to be continued to the judicial process or other informal actions . For act serious crime like murder , rape , theft with violence , police continue the process to court or do detention . Children are differentiated place the retainer with adults fulfillment facilities that protect development children , education , hobbies , access with family , protection right prophecy child , protection from torture and ill-treatment physical and mental and a short judicial process and fast (Sari, 2012).

Become investigator child of course No Enough only based on adequate rank , but also required experience somebody in do investigation , so it is very supportive from aspect technical investigation . Besides That No lost the importance is , about interest , attention , dedication , and understanding problem child will push investigator child in to add knowledge about problem child so that in carry out his job investigator will notice interest children (Lembong , 2014).

Investigations conducted to the child who did a act criminal must be done in atmosphere family . Investigations conducted by investigators to Child case in matter considered need , investigator can request consideration or suggestions from Mentor Society , expert education , psychologist , psychiatrist , religious figure , worker social professional, or power expert other after act criminal

reported or complained . This is aims to ensure the investigation process walk with fluent as well as put forward interest from the Child.

Based on background behind above , then writer lift title study This namely : “ **The Role of Investigators In Do Diversion Towards Children As Perpetrator Action Criminal (Study at Deli Serdang Police)**”.

a. Formulation Problem

As for the problem main in study This is :

1. How Role of Investigators In Do Diversion Towards Children As Perpetrator Action Criminal in Deli Serdang Police Station ?
2. How Obstacle Implementation Diversion Towards Children As Perpetrator Action Criminal in Deli Serdang Police Station ?

b. Objective Study

As for the Objectives study This is :

1. For Knowing the Role of Traffic Police in to straighten up Constitution Traffic in the jurisdiction of the Deli Serdang Police
2. For Know Obstacle Traffic Law Enforcement in the Jurisdiction of the Deli Serdang Police

II. LITERATURE REVIEW

a. Understanding investigator Police

Article 6 paragraph (1) and Article 1 paragraph 1 of the Law Number 8 of 1981 concerning Criminal Procedure Law state that : investigator is :

- a) official Republic of Indonesia State Police ;
- b) official government employees certain given authority specifically by law .

Condition rank official investigator set up more carry on in Regulation Government Republic of Indonesia Number 58 of 2010 concerning Changes to Government Regulations Number 27 of 1983 concerning Implementation of the Criminal Procedure Code , which contains as following :

a. Official Investigator Indonesian National Police

In Article 2A of PP Number 27 of 1983 in conjunction with PP Number 58 of 2010, it is stated that position investigator can given to official police with notice terms and conditions rank and appointment , as following :

- 1) Rank at least Inspector Two Police and the lowest educated Bachelor degree or equivalent ;
- 2) Have served in the field fastest investigation for 2 (two) years ;
- 3) Have followed and graduated from education development specialization function criminal investigation ;
- 4) Healthy physical spiritual (proven) with letter information doctor);
- 5) Have ability as well as high moral integrity .

b. Investigator Servant

In Article 10 of the Law Number 8 of 1981, “ Investigators servant is official the Republic of Indonesia National Police which is appointed by the Chief The Republic of Indonesia National Police based on condition rank .” Terms rank investigator servant set up more carry on in Article 3 of PP Number 27 of 1983 in conjunction with PP Number 58 of 2010, as following :

- 1) Rank at least Brigadier Two Police
- 2) Have followed and graduated from education development specialization function criminal investigation ;
- 3) Have served in the field fastest investigation for 2 (two) years ;



- 4) Healthy physical spiritual (proven) with letter information doctor);
- 5) Have ability as well as high moral integrity

Based on Constitution Number 8 of 1981 concerning the Criminal Procedure Code, Duties investigators , among others as following :

- a. Make related minutes implementation action as intended in Article 75 (Article 8 paragraph (1))
- b. Submit file case to prosecutor general (Article 8 paragraph (2)).
- c. Submit not quite enough answer on suspect and goods proof to prosecutor general (Article 8 paragraph (3)).
- d. Accept report complaint related alleged incident is a act criminal and mandatory quick do necessary investigation (Article 106) .
- e. Investigator to inform to prosecutor general , in matter investigator start do investigation to a incident act criminal (Article 109 paragraph (1)).
- f. Investigator must quick deliver file case to prosecutor general , if has finished do investigation (Article 110 paragraph (1)).
- g. Investigator must do investigation addition in accordance instruction from prosecutor general , if prosecutor general return results investigation For completed (Article 110 paragraph (3)).
- h. Investigator must do inspection suspects and witnesses with call through letter valid summons (Article 112 paragraph (2)) .
- i . Before the beginning examination , investigator must to inform to someone who is suspected do act criminal about his rights get help law or in the matter That must accompanied by an advisor law (Article 114).
- j. Investigator must call and check witnesses who can profitable suspect , and if There is must noted in minutes (Article 116 paragraphs (3) and (4))
- k. Investigator take notes in minutes in detail and in accordance with the words used suspect moment give information about what is the truth He do related with act criminal (Article 117 paragraph (2)).
- l. Investigator sign information suspect or witness in minutes after suspect or witness agree contents (Article 118 paragraph (1).
- m. Investigator must start inspect suspect in custody in time One day after order detention executed (Article 122).
- n. Investigator show sign Identifier moreover formerly to suspect or his family before do search house (Article 125).
- o. Investigator make related minutes path and results search house (Article 126 paragraph (1)).
- p. Investigator read moreover formerly related minutes search House to the person concerned Then given dated and signed by the investigator and suspect or family or head village , or chairman environment with two witnesses (Article 126 paragraph (2)) .
- q. Investigator in matter do confiscation , must show sign its identifier moreover formerly to the person from whom the object That confiscated (Article 128)
- r. Investigator show the thing that will confiscated to people or family as well as can request information related confiscated items That with witnessed by the head village or chairman environment with two witnesses (Article 129 paragraph (1)) .
- s. Investigator make minutes of confiscation and read out moreover formerly to people or his family with given dated and signed by the investigator and the person or family or head village or chairman environment with two witnesses (Article 129 paragraph (2)) .
- t. Investigator convey derivative minutes to his boss , the person from where the object That confiscated or family and head village (Article 129 paragraph (4)).
- u. Investigator sign object confiscation moment after wrapped , given seal and office seal (Article 130 paragraph (1)).



Moment start investigation , investigator must know and pay attention his authority . Authority investigator as set up in Article 7 paragraph (1) of the Law Number 8 of 1981 concerning the Criminal Procedure Code , namely :

- 1) Investigator accept existence report complaint about the occurrence a a worthy event allegedly is a act criminal ;
- 2) Do action first time at the place incident matter ;
- 3) Ordering stop suspect , then inspect sign Identifier suspect ;
- 4) Investigator can do arrest , detention , search as well as confiscation ;
- 5) Doing inspection and seizure to letters ;
- 6) Investigator allowed take fingerprint finger someone , and take a picture ;
- 7) Calling suspect or witness For checked and heard the description ;
- 8) If needed , investigator can call an expert in inspection matter ;
- 9) Investigator can stop investigation .
- 10) Investigator can stage other actions according to responsible law answer

b. Understanding Diversion in Child Matters

The word diversion originate from the word language English namely "Diversion" which means diversion , then the word "Diversion" was absorbed to in Indonesian becomes term diversion . According to history development law the first criminal word "Diversion" very put forward as vocabulary in the report implementation justice the child who was delivered President Commission The Australian President's Crime Commission in the United States in 1960. The basic idea of diversion This is For avoid effect negative inspection conventional justice criminal to good boy effect negative court process and effect negative stigma (evil label) of the judicial process , then inspection in a way conventional diverted (Fitriana , 2013).

Diversion is giving authority to law enforcement officers law For take actions wisdom road handle or finish problem offender child with No take formal ways include stopping or No forward / release from the judicial process criminal or return / hand over to society and forms activity service social others . Implementation diversion can done inside all levels examination , intended For reduce impact negative involvement child in the judicial process (Wahyudi , 2011) .

Diversion is is diversion settlement case criminal child from the judicial process criminal to the outside process justice criminal . Settlement criminal child through diversion done with approach restorative . Through approach restorative so required a deliberation and involvement all party related among others, children and parents / guardians , victims and/ or their parents / guardians , mentors Community (BAPAS), Professional Social Workers (PEKOS) , representatives and other parties involved others in order to achieve it agreement diversion (A ve, 2023).

Understanding diversion proposed Marlene in his book Justice Child Criminalization in Indonesia is policies implemented For avoid perpetrator from system justice formal criminal law for give protection and rehabilitation (*Protection and rehabilitation*) to perpetrator as effort For prevent child become perpetrator criminal adults (Marlina , 2009).

Whereas according to Constitution Number 11 of 2012 concerning System Justice Child Criminal Act , it is stated that diversion is diversion settlement case child from the judicial process criminal to the outside process justice criminal . Therefore That No all case child in conflict with law must completed through track justice formal. Will but matter the can overcome with give alternative for settlement with approach *restorative justice*.

According to Peter C. Kratcoski in Hengky Kurniawan is here three type draft implementation implementation of the diversion program , namely :

1. Implementation control in a way social (social control orientation), namely law enforcement apparatus law deliver perpetrator in not quite enough answer supervision or observation society ,



with obedience to agreement or warning given . The perpetrator accept not quite enough answer on his actions and not expected existence chance second time for perpetrators by society .

2. Service social by the community towards actors (*social service orientation*), namely carry out function For supervise , interfere , repair and provide services to the perpetrators and their families . The community can to interfere family perpetrator For give repair or service .
3. Towards a restorative justice process or negotiations (*blanced or restorative justice orientation*), that is protect society , giving chance perpetrator responsible answer directly to victims and the community with make Joint agreement between the victim, the perpetrator and the community . Its implementation all related parties met For together reach Action agreement on the perpetrator . (Tarigan , 2015).

Terms and Conditions diversification idea is carried out in case children , namely :

- a. new child first time doing act criminal ;
- b. Age child relatively Still young ;
- c. Implementation forms of diversion programs imposed on children get consent from parents / guardians , or the child concerned ;
- d. Crimes committed can act light criminal sentence or heavy (in case certain);
- e. The child has confess guilty do act criminal / crime ;
- f. The community supports and does not objection , on diversion inspection This ;
- g. If the implementation of the diversion program failed , then perpetrator child the returned For checked formally . (Sari , 2012)

Profit implementation diversion for children , namely :

1. The child does not need detained (avoiding) detention);
2. Avoid stigma/label/ as criminal ;
3. Opportunities for child increase skills life ;
4. Opportunities for child responsible answer on his actions ;
5. No do repetition act criminal ;
6. Advancing necessary interventions for victims and perpetrators without must through a formal process;
7. Avoid child follow the system process justice with keep away children from influence and implications negative from the judicial process (Hambali , 2019).

Diversion program can become form of restorative justice if :

- a. Push child For responsible answer on his actions ;
- b. Give chance for child For replace mistakes made with do kindness for the victim;
- c. Give chance for the victim for follow as well as in the process;
- d. Give chance for child For can maintain connection with family ;
- e. Give chance for reconciliation and healing in communities that are harmed by acts criminal . (Tarigan , 2015).

c. Understanding Children Face to Face with the Law

Article 1 number 2 of the Law Number 4 of 1979 concerning Child Welfare states that children are someone who has not reach 21 years old and not yet marry . If someone who hasn't reach 21 years old However He Already Once marry so He No Again status as children , but as an adult . In Constitution Number 35 of 2014 in conjunction with Law Number 23 of 2002 Concerning Child Protection Article 1 number 1 defines a child as is someone who has not 18 years old including child Still in content . In Constitution Number 11 of 2012 Concerning System Justice Child Criminal Procedure Article 1 number 3 Children are those who are 12 years old But Not yet 18 years old .

In Constitution Number 11 of 2012 concerning System Justice Child Criminal Code states that which is meant with child :



1. Children facing each other with law is a child in conflict with law , child become a victim of crime criminal , and children who become witness act criminal .
2. Children in conflict with huum the next one called child is child who has aged 12 (two) twelve) years , but Not yet aged 18 (eight) twelve) years of age allegedly do act criminal .
3. Children who are victims of crime the next criminal act called as the victim's child is child who has not aged 18 (eight) twelve) years who experienced suffering physical , mental, and/ or loss economy caused by action criminal .
4. Children who become witness act the next criminal act called child witness is child who has not aged 18 (eight) twelve) years old that can give information use interest investigation , prosecution and examination in court court about a case crimes that are heard , seen , and/ or experienced himself (Joni, 2019).

Based on explanation on children facing each other with law or child in conflict with law is those who are related direct with act criminal , good That as a victim or witness in a act criminal

Harry E. Allen and Clifford E. Simmons explain that There are 2 (two) categories behavior the child who made child must face to face with law , namely :

- a. Offense Status is behavior mischief a child who when done by adults No considered as crimes , such as No according to , truant school , or blurry from House ;
- b. Juvenile Delinquency is behavior mischief a child who when done by adults considered crime or violation law (Purniati , 2013).

III. RESEARCH METHODS

Type Study

Writing use method type study normative law (normative legal research), namely research conducted on articles rule law For determine principles law , knowing synchronization vertical /horizontal, knowing aspects of legal history and knowing comparison between systems law

Approach Problem

Approach problem used in study This is approach regulation legislation . Approach regulation legislation (*statute approach*) is used , because it will investigated is rule related laws with study This . Approach This done with to examine all regulation related legislation with Discretion police through diversion . Approach This need understand hierarchy and principles regulation legislation .

Source Legal Materials

Material primary law consisting of from laws and regulations government , decision the court that has own strength law still regulation related other such as the Criminal Code, Criminal Procedure Code, Law Number 11 of 2012 Concerning System Justice Child Criminal . Material law secondary that is materials that provide explanation about material primary law such as research , related proceedings with research . Materials law tertiary , namely materials that provide instruction and explanation to material primary law and materials secondary like Dictionaries , encyclopedias (wikipedia) and related tables with object study

IV. DISCUSSION RESULTS

1. Role of Investigators in Do Diversion Towards Children As Perpetrator Action Crime at Deli Serdang Police Station

In system justice criminal children in Indonesia, diversion hold role important as effort For divert settlement case child from the judicial process criminal to the outside process trial . At the Deli Serdang Police , investigators own not quite enough crucial answer in implementation diversion to child in conflict with law . The role of investigators No only limited to the investigation process conventional , but also includes a series purposeful action For realize justice restorative . Approach This focus on recovery conditions and protection rights child , instead solely apply punishment .



Investigators at Deli Serdang Police Station were charged For own understanding deep about principles protection child and able apply skills mediation in the process of diversion . Implementation role This need balance between enforcement law and interests best for children , who often cause challenge alone for investigator in operate his duties .

Investigators at the Deli Serdang Police have role important in the process of diversion to child in conflict with law . Here is a number of aspect main from role including :

1. Identification case

Investigator own not quite enough answer crucial in identify cases that meet the requirements condition For diversion . This process involving analysis deep to characteristics act crimes committed by children . Investigators must ensure that threat criminal For act criminal the are under 7 years old and not is repetition act criminal . Proper identification is essential . Because become base For determine whether a case can completed through track diversion or must through formal judicial processes .

2. Restorative approach

In handle case children , investigators at the Deli Serdang Police are implementing approach restorative focused on recovery condition , not solely on punishment . Approach This reflect shift paradigm in Handling case child of retributive to restorative . Investigator make an effort For understand root problems that cause child do act criminal and seeking solutions that can restore the damage caused , while still notice interest best for child . This involving constructive dialogue between perpetrators , victims, and society , with objective For reach resolution that can repair relationship and prevent repetition act criminal in the future .

3. Facilitation meeting

The role of investigators as facilitator in meeting diversion is aspect important of this process . Investigators responsible answer For organize and lead meeting involving perpetrator children , victims, families and other parties related others . In capacity this , investigator must capable create conducive atmosphere for open and constructive dialogue . The goal main from facilitation This is For allow achievement a fair and acceptable agreement accepted by all party .

4. Compilation agreement

In the process of drafting agreement diversion , investigator play role important as mediator and guide . Investigator assist the parties For formulate a fair , realistic and achievable agreement accepted by all parties involved . Investigators must ensure that agreement the fulfil principles justice restorative , protective interest children , and give satisfaction to the victim. This process need skill in negotiation and understanding deep about law as well as impact psychological and social from act criminal .

5. Coordination with agency related

Effective coordination with various agency related is component key in the success of the diversion process . Investigators at the Deli Serdang Police played a role as connector main , weave cooperation close with Hall Correctional Institution (Bapas), workers social , and other relevant agencies . Coordination This covering exchange information , planning together , and implementation coordinated action . The goal is For ensure that the diversion process get support comprehensive from various aspects , starting from evaluation psychosocial to rehabilitation and reintegration programs social .

6. Protection right child

In throughout the diversion process , investigators own not quite enough fundamental answer to ensure that rights child still protected . This covers right on privacy , rights For heard his opinion , right For get help law and rights For treated with dignity and respect . Protection right child this also includes effort For prevent stigmatization and facilitation reintegration child to in public .



2. Obstacle Implementation Diversion Towards Children As Perpetrator Action Crime at Deli Serdang Police Station

Although diversion has acknowledged as effective approach in handle case child in conflict with law , its implementation at the Deli Serdang Police is not let go from various obstacles . Challenges This appear from various aspects , starting from scope institutional until socio-cultural public local . Complexity problems faced in implementation diversion reflect existence gap between policy ideals and reality on the ground .

Obstacles This No only influence the effectiveness of the diversion process , but also has the potential hinder achievement objective main from approach restorative in system justice children . Identifying and understanding obstacles This become step important in effort increase effectiveness implementation diversion at the Deli Serdang Police . With comprehensive understanding to existing challenges , it is hoped can developed the right strategy For overcome it , so that the diversion process can walk more optimal for the benefit of best children and society in a way overall . There are several obstacle including , among others:

1. Understanding public

Lack of understanding public about concept and benefits diversion is obstacle significant in its implementation at the Deli Serdang Police Department . The community is accustomed to with approach punishment in system justice criminal Possible look at diversion as form undue leeway right . Lack of understanding This can cause resistance towards the diversion process , with assumption that child perpetrator act criminal " escaped " from punishment . As a result , support the community needed For success of diversion and reintegration programs child to in community become limited . Education and socialization intensive to public about objectives and benefits term long from diversion is very necessary For overcome obstacle This .

2. Limitations source Power

Deli Serdang Police Department is facing challenge in the form of limitations source Power in implementation diversion . Lack of trained investigator special in handle case child become constraint main . Handling case child need skills and knowledge different special from adult cases .

Besides that , limitations facility supporters , such as room adequate counseling or tool help for the mediation process , can hinder effectiveness of the diversion process . Limitations This No only influence quality Handling case , but also can slow down the diversion process in a way overall . Investment in training investigator and provider adequate facilities become crucial For overcome obstacle This .

3. Difficulty reach agreement

In the diversion process at the Deli Serdang Police , difficulties arose in reach agreement between perpetrators , victims and families they often become obstacle serious . Difference significant opinion , especially about form accountability or compensation , can hinder achievement resolution . Victims or his family Possible demand change loss that is not can fulfilled by the party the perpetrator , or they Possible The same very reject the idea of diversion Because feel No fair . On the other hand , the perpetrator or his family Possible feel the claim filed too heavy . Situation This need skills high mediation from investigator and facilitator diversion .

4. Social stigma

Social stigma to child in conflict with law become obstacle big in the process of reintegration social , which is one of the objective main diversion at Polresta Deli Serdang. The community often has view negative to child who ever involved in act criminal , even after through the diversion process . This stigma can influence various aspect life children , such as difficulty in return to school , get work , or participate in activity social . As a result , the goal diversion For restore and integrate return child to in public become difficult achieved .



Stigma can also influence psychological child, lower trust self them, and even potential push they return to behavior deviant. Overcoming social stigma need effort term long in education community, campaign awareness public, and perhaps a mentoring program special For children and their families during the reintegration process.

V. CLOSING

Implementation diversion to child as perpetrator act Criminal proceedings at the Deli Serdang Police are a complex and full process. challenge. Investigator play role crucial in this process, start from identification case, application approach restorative, facilitation meeting, compilation agreement, until protection right children. However, the effectiveness implementation diversion hampered by various factors, including lack of understanding society, limitations source power, difficulty reach agreement, and social stigma to child in conflict with law. Success diversion is highly dependent on ability investigator in balancing enforcement law with interest best children, and ability overcome existing obstacles. Efforts improvement understanding community, strengthening capacity investigators, and improvements coordination between institution become key in optimize implementation diversification for the sake of achievement justice restorative and reintegrative child to in public.

BIBLIOGRAPHY

Book :

- DS. Dewi and Fatahillah A. Syukur . 2011. *Penal Mediation : Implementation of Restorative Justice in Indonesian Children's Courts* . Indie Publishing. Deppk , p . 89.
- M. Joni and Zulchaina Z. Tanamas , 2009, *Legal Aspects of Protection Child in Perspective Convention Children's Rights* , Citra Aditya Bakti , Bandung, page 1.
- M. Nasir Jamil. 2013. *Children Are Not For punished* . Rays Graphics . Jakarta, page . 1
- Marlina , 2009. *Trial Child Criminal Justice in Indonesia: Development Draft Diversion and Restorative Justice*. Refika Aditama . Bandung, page . 22.
- Muhammad Joni and Zulchaina Z Tanamas , 2019, *Aspects Child Protection In Perspective Convention Children's Rights* , PT Citra Aditya Bakti , Bandung, p . 83.
- Purniati , Mamik , Sri Supatmi , and Ni Made Martini Tinduk , 2003, *Situational Analysis System Justice Juvenile Justice System in Indonesia, UNICEF* , Jakarta, p . 2.
- Wadong , Maulana Hasan, 2010, *Advocacy and Child Protection Law* , Grasindo , Jakarta, p . 68.
- Rafi Muhammad Ave.** Understanding Diversion in the Settlement of Child Criminal Cases . <https://www.pn-pariaman.go.id> . Accessed October 12 , 2023.

Journal :

- Amelia Geiby Lembong , " *Legal Study on System Criminalization of Children According to Constitution Number 11 of 2012* ", Lex Crimen , Vol 3 Number 4 (2014), p.15.
- Azwad Grace Hambali . " *Implementation Diversion Towards Children Who Are Facing With the Law Within System Justice Criminal (Diversion for Children in Conflict with The Laws in The Criminal Justice System)* ". Law Journal Volume 13, Number 1, March 2019, p . 26.
- Diah Ratna Sari Hariyanto & Gde Made Swardhana . " *Optimization Implementation Diversion In System Justice Child Criminal Procedure Oriented Towards Restorative Justice In Denpasar City* ". Jurnallegislasi Indonesia Vol 18 Number 3 - September 2021, page . 396.
- Fetri AR Tarigan , " *Efforts Diversion For Children in Process* ", Lex Crimen Journal Vol.4, Number 5, July 2015, p.16.



- Fikri , RA, Siregar , MA, Rambe , MJ, & Syaharani , N. (2024). Handling of Juvenile Brawl Crimes through Criminal Law Policy in Medan City. *Sehasen Law Journal* , 10(2), 481-488.
- Made Ayu Citra Maya Sari, “ *Diversity in System Criminal Justice for Children in Indonesia* ”, Denpasar: Postgraduate Program Udayana , 2012 , p . 6.
- Mahilda Noor Fitriana . “ *Analysis of Islamic Law Regarding Diversion In Murder According to Constitution Number 11 of 2012 Concerning System Justice Child Criminal Procedure* ”. Faculty Sharia Walisongo State Islamic Institute Semarang 2013, page 47
- Ulang Mangun Sosiawan , " *Restorative Justice Perspective as Form Protection of Children in Conflict With Law* ”, *Journal De Jure Legal Research* , Vol.16, No.4, December 2016, p.428.

