

DIVERSION THE FORM OF RESTORATIVE JUSTICE IN JUVENILE CRIMINAL JUSTICE SYSTEM

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ABSTRACT

Children as the next generation have become the attention of all parties, both in the international community and the Indonesian government. In essence, it was agreed that children spiritually, physically, socially and political had not been able to independently and become the obligation of adults (countries) to protect them. Including children who have problems with law. In the case of children in conflict with the law, the handling is carried out with the Diversion model, as a form of restorative justice. That is handling children outside the formal justice process, in order to provide the best for children.

Diversion is carried out by involving all parties for families, community leaders, educators and community institutions. With diversion it is hoped that children will realize their mistakes, feel responsible, maintain harmony in society, and eliminate stigma. The results of the agreement can be in the form of compensation, care for victims, placement in social institutions.

One of the obstacles faced is that there are still weaknesses in society's culture and societies.

A. LATAR BELAKANG

Anak adalah seseorang yang lahir dari seorang ibu yang berasal dari perkawinan yang sah menurut peraturan dan hukum yang berlaku. Sebagai penerus generasi penerus bangsa, seorang anak memiliki karakteristik tersendiri bila dibandingkan dengan orang dewasa, dimana baik fisik dan mentalnya belum matang dan stabil. Namun demikian, dalam perkembangan masyarakat yang semakin kompleks, pertumbuhan penduduk yang semakin meningkat, serta semakin berkembangnya informasi sebagai akibat arus globalisasi, telah membawa pengaruh terhadap segala aspek kehidupan masyarakat Indonesia. Kondisi demikian berpengaruh pula terhadap perilaku anak, termasuk kualitas serta kuantitas kenakalan anak (*Juvenile delinquency*). Saat ini tidak sedikit anak yang berperilaku menyimpang (*deviance*) memiliki kualitas yang sama dengan kejahatan yang dilakukan orang dewasa.

Semakin tingginya angka anak *delinquent*/anak yang bermasalah dengan hukum (ABH), perlu mendapat perhatian yang serius dari semua pihak, sehingga anak yang diharapkan memiliki