

# Analysis of Law Enforcement Against Children as Perpetrators of Violent Theft: A Case Study of the Southeast Aceh Police

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**Abstract.** *Law enforcement against children as perpetrators of violent theft is a complex issue that requires special attention, especially in the application of the principle of restorative justice in accordance with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). This study aims to analyze the applicable legal rules, the implementation of law enforcement by the Southeast Aceh Police, as well as the obstacles faced in handling cases of children as perpetrators of violent theft. The research method used is qualitative with a case study approach, which involves in-depth interviews, observations, and document studies. The results of the study show that the rule of law prioritizes the principles of child rehabilitation and protection through a diversion mechanism to prevent children from the formal criminal justice system. The Southeast Aceh Police has tried to apply this principle, despite facing various obstacles, such as limited facilities for children, lack of trained human resources, and low public understanding of the restorative approach. This research emphasizes the importance of a holistic approach that involves various parties to increase the effectiveness of law enforcement against children. Support in the form of training officials, improving child-friendly facilities, and community education is needed to ensure the success of a fair juvenile criminal justice system and support the social reintegration of child offenders. Thus, this system can function optimally to protect children's rights, create justice for victims, and restore social harmony.*

**Keywords:** *Law Enforcement, Children, Crime of Theft, Violence, Restorative Justice, Southeast Aceh Police*

Received: November 25, 2024

Revised: December 27, 2024

Accepted: January 27, 2025

## INTRODUCTION

In the legal system in Indonesia, the protection of children is a very crucial issue. Children as individuals who have not reached physical and psychological maturity need special attention in various aspects of life, including in terms of law enforcement (Simangunsong et al., 2025). However, when children are involved in criminal acts, this problem becomes more complex because of the need to balance the aspects of justice and protection of children's rights. Cases of theft with violence involving children as perpetrators are one of the challenges faced by law enforcement officials (Prastini, 2024). This crime not only harms social norms, but also causes trauma for victims and psychological impacts for perpetrators who are still in the developmental phase. In this context, a humanist approach and in accordance with the principle of restorative justice is very important.

The Southeast Aceh Police is one of the law enforcement institutions faced with these challenges. With a geographical location that tends to be rural and a community that still holds fast to traditional values, the approach in handling cases of children as perpetrators of criminal

acts often has to be adapted to the local social and cultural context. This approach not only involves police officers, but also cooperation with families, communities, and other social institutions. In the framework of Indonesian law, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System is the main basis in handling children who are facing the law (Pradityo, 2016). This law underlines the importance of the principle of non-stigmatization, respect for children's rights, and the restoration of children's conditions so that they can return to living a normal life in society. However, the implementation of this rule at the field level often faces various obstacles, both in terms of human resources, facilities, and public understanding of the law.

The case study of the Southeast Aceh Police provides a real picture of the dynamics of law enforcement against children involved in the crime of theft with violence. The data and facts obtained from the cases handled by the Police show how the law is applied and what challenges are faced in an effort to uphold justice while protecting children's rights. In addition, this study also describes the extent of the implementation of the restorative justice approach in Southeast Aceh. This approach not only focuses on sentencing, but also on efforts to improve the relationship between perpetrators, victims, and the community. In the case of children as perpetrators, restorative justice provides an opportunity for children to learn from mistakes without having to lose their future.

It is undeniable that social and economic background is often a triggering factor for children to be involved in criminal acts (Sarutomo, 2021). Poverty, lack of access to education, and an uncondusive environment are often the reasons behind children's involvement in criminal acts. In cases of violent theft, economic pressure or environmental influences are often the main motivation for a child to commit a crime (Adinda et al., 2023).

Law enforcement against children as perpetrators of violent theft also raises moral dilemmas for law enforcers (Surbakti & Zulyadi, 2019). On the one hand, there is a demand to uphold justice for victims; On the other hand, there is an obligation to ensure that the child of the perpetrator does not lose his rights as an individual who is in the growth stage.

The juvenile criminal justice system in Indonesia adheres to the principle of diversion, which is the transfer of the settlement of children's cases from the criminal justice process to the extrajudicial process. Diversion aims to prevent children from the negative effects of the judicial process, such as stigmatization and deep feelings of guilt (Prasetyo, 2015). However, the implementation of diversion in the field does not always go smoothly, especially in areas with limited resources such as Southeast Aceh.

In handling children's cases, the Southeast Aceh Police must also consider cultural aspects and local norms. As an area with strong customary traditions, custom-based solutions are often an option for resolving conflicts, including cases involving children. This approach combines positive legal values with local wisdom, so that it is more acceptable to the community.

The importance of the role of families and communities in supporting the recovery of perpetrators' children cannot be ignored. Children who are involved in criminal acts need moral and emotional support from their immediate environment to be able to rise and change into better individuals. Therefore, synergy between law enforcement, family, and the community is the key to solving this problem. This study aims to analyze how law enforcement against children as perpetrators of violent theft is carried out by the Southeast Aceh Police. In addition, this study also explores the factors that affect the law enforcement process and its impact on the perpetrator's children, victims, and society as a whole (Nurisman, 2022).

Through a qualitative approach, this research is expected to provide a more in-depth picture of the issues raised. By understanding this problem more comprehensively, it is hoped that solutions can be found that are not only fair but also effective in protecting children's rights. This case study is also expected to be a reference for other law enforcement institutions in

handling similar cases. By learning from the experience of the Southeast Aceh Police, it is hoped that law enforcement against children can be carried out better in the future.

In conclusion, law enforcement against children as perpetrators of violent theft is an issue that requires special attention. With the right approach, it is hoped that children who are faced with the law can be empowered to return to live a productive and positive life in society.

## **METHODS**

In this study, a qualitative method with a case study approach was used (Assyakurrohim et al., 2023). This approach was chosen to gain a deep understanding of the law enforcement process against children as perpetrators of violent theft at the Southeast Aceh Police. This research is a qualitative descriptive research. The purpose of this study is to describe and analyze in depth the law enforcement process against children, the challenges faced, and the implementation of the principles of restorative justice in these cases (Bogdan & in Moleong, 2001). The location of the research was carried out in the jurisdiction of the Southeast Aceh Police. The selection of this location is based on the existence of cases of theft with violence involving children as perpetrators, as well as local social and cultural dynamics relevant to the research. The data sources in this study consist of: (1) Primary Data, data obtained directly through interviews with key informants such as Southeast Aceh Police investigators, perpetrators (children), victims, families of perpetrators, victims' families, and local community leaders; (2) Secondary Data, data obtained from official documents, such as police reports, examination minutes (BAP), laws and regulations, and literature related to the juvenile criminal justice system. Data collection techniques are carried out through several methods, namely (Jogiyanto Hartono, 2018): (1) In-Depth Interviews: Conducted with key informants to dig up information about the case handling process, the application of the law, and the obstacles faced; (2) Observation: Conducted to see firsthand the process of handling child cases at the Southeast Aceh Police, including interactions between investigators, perpetrators, and other related parties; (3) Document Study: Review related documents such as case reports, laws and regulations, and statistical data on child crime in the region. The selection of informants is carried out purposively, namely by selecting informants who are considered to have knowledge or experience relevant to the research topic (Wisfa & Ritonga, 2024). The selected informants include: Investigators from the Women and Children Protection Unit (PPA) of the Southeast Aceh Police, the child of the perpetrator of the crime of theft with violence, victims of criminal acts, the families of the perpetrators and victims and community leaders or local traditional leaders. The main instrument in this study is the researcher himself, with interview guidance as a tool. The interview guide is prepared based on the theoretical framework and research objectives, so that the data obtained can be directed and relevant. Data analysis is carried out qualitatively through the following stages: data reduction, data presentation, and drawing conclusions.

## **RESULTS AND DISCUSSION**

### **What are the Legal Rules for the Crime of Theft with Violence According to Laws and Regulations?**

The crime of theft with violence is regulated in Article 365 of the Criminal Code (KUHP). This article explains that theft by violence is the act of taking someone else's property by using threats or violence to facilitate the act (Wibisono, 2022). The threat of punishment varies, depending on the impact or condition of the crime, ranging from nine years in prison to life imprisonment if it causes the victim's death.

However, when the perpetrator of a criminal act is a child, the applicable legal rules prioritize protection and a restorative approach. In accordance with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), children who commit criminal acts are processed with the principle of non-stigmatization and prioritize diversion, namely the transfer of case settlement from the criminal justice channel to a mechanism outside the court. This rule aims to protect children from the negative impact of the judicial process, such as stigmatization

and psychological development disorders (Butarbutar, 2024). In addition, the SPPA stipulates that criminal threats against children are half of the criminal threats that apply to adults. According to Pasaribu & Sirait (2024), courts are expected to impose sanctions that are educational and recovery-oriented, such as job training, counseling, or placement in social welfare institutions.

Normatively, theft with violence is one of the serious crimes regulated in Article 365 of the Criminal Code. The threat of punishment is quite severe, considering the impact it has on the victim (Ayunita, 2024). However, when the perpetrator is a child, the legal rule emphasizes more on the protection aspect, as stipulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). The principles carried out by SPPA, such as restorative justice and diversion, are in line with the theory of child development put forward by (Erikson, 1950). Erikson stated that childhood is an important period in the formation of identity and morality. Retributive punishment tends to undermine this development, so a legal system that prioritizes recovery and education is more appropriate for children. Previous research by (Febriani & Suherman, 2024) It also shows that the implementation of SPPA is able to reduce the recidivism rate of children if done consistently. This emphasizes the importance of applying a humanist approach in law enforcement against children (Widadi & Zainuddin, 2024).

### **How is the Law Enforcement Carried out by the Southeast Aceh Police against the Perpetrators of Violent Theft Committed by Children?**

Law enforcement against children as perpetrators of violent theft at the Southeast Aceh Police is carried out in compliance with the provisions of the SPPA. The law enforcement process began with an investigation conducted by the Women and Children Protection Unit (PPA). At each stage, investigators strive to prioritize the best interests of the child and minimize the trauma experienced. The procedures implemented include: (1) Diversion, the Southeast Aceh Police seeks to resolve cases through the diversion mechanism, especially for children who are committing a crime for the first time. Diversion involves the perpetrator, victim, family, and other parties such as community leaders or mediators.

This effort aims to resolve conflicts without involving children in the justice system; (2) Assistance, the perpetrator's child receives legal and psychological assistance during the investigation process. This assistance is carried out to ensure that children understand the ongoing legal process and to maintain their mental health; (3) Temporary Placement, if a child must be detained, the Southeast Aceh Police ensure that the placement is carried out in a special children's detention center or a child-friendly place, in accordance with the provisions of the SPPA.

In some cases, the Southeast Aceh Police also collaborate with relevant agencies such as the Social Service and local customary institutions to find community-based solutions that are more effective and in accordance with local culture. The results of the study show that the Southeast Aceh Police have tried to apply the principles of SPPA in handling child cases. The diversion process involved various parties, including victims, perpetrators, families, and community leaders (Ningtias et al., 2020). This step reflects a restorative justice approach that aims to improve the relationship between perpetrators and victims and restore social harmony. This approach is in line with the theory of restorative justice developed by (Ginting et al., 2024), which emphasizes the importance of dialogue between perpetrators, victims, and the community.

Ginting stated that true justice is achieved when all parties involved in the conflict get the opportunity to voice their experiences and find mutually beneficial solutions. However, research by (Asmara & Iskandar, 2021) shows that the effectiveness of diversion is highly dependent on the support of the community and the understanding of all parties to this mechanism. In the case of Southeast Aceh, the existing cultural and social challenges are factors that affect the success of the diversion process.

## **What are the Obstacles Faced by the Southeast Aceh Police in Carrying Out Law Enforcement Against Perpetrators of Violent Theft Committed by Children?**

Law enforcement against children as perpetrators of crimes in the Southeast Aceh Police cannot be separated from various obstacles, including: (1) Lack of Adequate Facilities, the Southeast Aceh Police faces limitations in special facilities for children, such as child detention houses that comply with SPPA standards. This often results in children being placed alongside adult offenders, although this is legally prohibited; (2) Lack of Community Understanding, many people do not understand the principles of diversion and restorative justice, so they demand severe punishment for the perpetrator's child. This often complicates the mediation process and out-of-court case resolution; (3) Lack of Human Resources, the PPA unit at the Southeast Aceh Police has a limited number of personnel, so handling child cases often takes longer.

In addition, not all investigators have special training to handle child cases; (4) Social and Cultural Pressures, as an area with strong customary traditions, law enforcement often has to adapt their approach to local norms. In some cases, custom-based settlements may clash with formal legal provisions, making the law enforcement process difficult; (5) Economic and Social Impact, many children of perpetrators come from families with weak economic conditions, which makes them vulnerable to negative environmental influences. This condition often complicates efforts to rehabilitate and reintegrate children into society; (6) Limited Awareness of Children, as a minor perpetrator, children are often not fully aware of the consequences of their actions. This poses challenges in the investigation and mediation process (Ahkami & Asy'ari, 2025).

The obstacles faced by the Southeast Aceh Police, such as the lack of public facilities and understanding, reflect the systemic problems faced by many law enforcement institutions in Indonesia. Research by (Setiawan, 2018) revealed that the lack of special facilities for children often causes child offenders to lose their rights during the legal process, including the right to child-friendly treatment. In addition, the social and cultural pressures faced by the Southeast Aceh Police show the need for a legal approach that is adaptive to the local context. In societies with strong customary values, custom-based settlement is often considered more effective than formal approaches. This is supported by research by (Pratiwi et al., 2024), which shows that the combination of customary law and formal law can increase public trust in the legal process. The limitation of human resources is also the main obstacle. Investigators who do not have special training to handle child cases often have difficulty applying SPPA principles optimally. According to the theory of competence by (Boyatzis, 1991), the effectiveness of task implementation is highly dependent on individual competence. Therefore, special training for investigators is an urgent need.

## **CONCLUSION**

This study reveals that law enforcement against children as perpetrators of violent theft in the Southeast Aceh Police has tried to follow the principles regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). Restorative justice-based approaches and diversion mechanisms have been implemented to protect children's rights and minimize the negative impact of the criminal justice process. However, in practice, the Southeast Aceh Police faces various obstacles that hinder the optimal implementation of this system. The limited special facilities for children, the lack of number and competence of personnel handling children's cases, and the lack of public understanding of the principles of diversion are the main challenges. In addition, strong local social and cultural pressures often affect the law enforcement process, especially in the context of custom-based case resolution. However, the results of the study show that the restorative approach has great potential to create solutions that not only provide justice for victims, but also help the rehabilitation and reintegration of child perpetrators into society. This is in line with the theory of restorative justice which emphasizes the importance of restoring social relations between perpetrators, victims, and society.



## SUGGESTION

To increase the effectiveness of law enforcement against children, strategic steps are needed, such as strengthening child-friendly facilities, special training for investigators, and socialization to the public about the importance of a restorative approach. Collaboration between law enforcement officials, government agencies, and community leaders is also the key to overcoming existing obstacles. In conclusion, law enforcement against children as perpetrators of criminal acts at the Southeast Aceh Police has been running in accordance with applicable legal principles, although it still faces various obstacles. With the right support, the juvenile criminal justice system in the region can develop better, creating a balance between legal interests, child protection, and social harmony.

## REFERENCES

- Adinda, M., Kultsum, A. Z., Christian, S., & Sabrina, N. A. (2023). Analisis Budaya Komunikasi Dalam Lingkungan Keluarga dan Pengaruhnya Terhadap Tindakan Kriminalitas pada Anak di Bawah Umur. *Nusantara: Jurnal Pendidikan, Seni, Sains dan Sosial Humaniora*, 1(02).
- Ahkami, N., & Asy'ari, H. (2025). Efektivitas Pendekatan Mediasi Dalam Manajemen Konflik Guru Dan Siswa: Sebuah Studi Literatur. *Jurnal Review Pendidikan dan Pengajaran (JRPP)*, 8(1), 450-457. <https://doi.org/10.31004/jrpp.v8i1.41437>
- Asmara, R., & Iskandar, H. (2021). Penerapan Restorative Justice Terhadap Anak Yang Berhadapan Dengan Hukum. *Jurnal Hukum Samudra Keadilan*, 16(2), 320-332. <https://doi.org/10.33059/jhsk.v16i2.4691>
- Assyakurrohim, D., Ikham, D., Sirodj, R. A., & Afgani, M. W. (2023). Metode studi kasus dalam penelitian kualitatif. *Jurnal Pendidikan Sains dan Komputer*, 3(01), 1-9. <https://doi.org/10.47709/jpsk.v3i01.1951>
- Ayunita, P. (2024). Pertanggungjawaban Pidana Pelaku Bullying Perspektif Hukum Indonesia dan Hukum Islam. *Ethics and Law Journal: Business and Notary*, 2(1). <https://doi.org/10.61292/eljbn.127>
- Bogdan, R., & dalam Moleong, J. S. T. (2001). Metodologi Penelitian Kualitatif. *Bandung: Remaja Rosda Karya*.
- Boyatzis, R. E. (1991). *The competent manager: A model for effective performance*. John Wiley & Sons.
- Butarbutar, J. M. (2024). Penjatuhan Pidana Maksimal terhadap Anak Berhadapan Hukum Ditinjau dari Tujuan Hukum Pidana Indonesia. *Jurnal Ilmu Hukum, Humaniora dan Politik (JIHHP)*, 5(1). <https://doi.org/10.38035/jihhp.v5i1.3077>
- Erikson, E. H. (1950). *Childhood and society*, New York (WW Norton) 1950.
- Febriani, Y., & Suherman, A. (2024). Efektivitas UU No. 11 tahun 2012 (SPPA) terhadap batas minimum usia pidana anak berdasarkan hukum positif di Indonesia. *Jurnal Kajian Hukum Dan Kebijakan Publik/ E-ISSN: 3031-8882*, 2(1), 347-359. <https://doi.org/10.62379/7nymds20>
- Ginting, Y. P., Ozora, A., Santoso, F. T. M., Sadikin, J. M., & Marceliani, R. (2024). Upaya Penyelesaian Tindak Pidana melalui Upaya Restorative Justice dengan melibatkan Keluarga Pelaku/Keluarga Korban. *Jurnal Pengabdian West Science*, 3(04), 410-428. <https://doi.org/10.58812/jpws.v3i04.1117>
- Jogiyanto Hartono, M. (Ed.). (2018). *Metoda pengumpulan dan teknik analisis data*. Yogyakarta: Penerbit Andi.
- Ningtias, D. R., Sampara, S., & Djanggih, H. (2020). Diversi Sebagai Bentuk Penyelesaian Perkara Pidana Anak. *Journal of Lex Generalis (JLG)*, 1(5), 633-651. <https://doi.org/10.52103/jlg.v1i5.190>

- Nurisman, E. (2022). Risalah Tantangan Penegakan Hukum Tindak Pidana Kekerasan Seksual Pasca Lahirnya Undang-Undang Nomor 12 Tahun 2022. *Jurnal Pembangunan Hukum Indonesia*, 4(2), 170-196. <https://doi.org/10.14710/jphi.v4i2.170-196>
- Pasaribu, A. M. J., & Sirait, T. M. (2024). Implementasi Sanksi Pidana Terhadap Anak Pelaku Tindak Pidana Narkotika Dalam Sistem Peradilan Pidana Anak. *Bacarita Law Journal*, 5(1), 108-131. <https://doi.org/10.30598/bacarita.v5i1.13987>
- Pradityo, R. (2016). Restorative Justice dalam Sistem Peradilan Pidana Anak. *Jurnal Hukum dan Peradilan*, 5(3), 319-330. <https://doi.org/10.25216/jhp.5.3.2016.319-330>
- Prasetyo, T. (2015). Penerapan Diversi Terhadap Tindak Pidana Anak Dalam Sistem Peradilan Pidana Anak. *Refleksi Hukum: Jurnal Ilmu Hukum*, 9(1), 1-14. <https://doi.org/10.24246/jrh.2015.v9.i1.p1-14>
- Prastini, E. (2024). Kekerasan terhadap anak dan upaya perlindungan anak di Indonesia. *Jurnal Citizenship Virtues*, 4(2), 760-770. <https://doi.org/10.37640/jcv.v4i2.2043>
- Pratiwi, B., Soeparan, P. F., & Wibisono, W. (2024). Peran Hukum Adat dalam Penyelesaian Sengketa Agraria di Indonesia: Kajian Empiris dengan Metode Komparatif. *Hakim: Jurnal Ilmu Hukum dan Sosial*, 2(4), 807-822. <https://doi.org/10.51903/hakim.v2i4.2187>
- Sarutomo, B. (2021). Penyebab anak di bawah umur melakukan tindak pidana pencurian di kabupaten demak. *International Journal of Law Society Services*, 1(1), 56-63.
- Setiawan, D. A. (2018). Efektivitas Penerapan Diversi Terhadap Penanganan Anak Yang Berhadapan Dengan Hukum Dalam Peradilan Pidana Anak Sesuai Undang-Undang Republik Indonesia Nomor 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak. *DiH: Jurnal Ilmu Hukum*. <https://doi.org/10.30996/dih.v0i0.1585>
- Simangunsong, K. G., Telaumbanua, J. C. D., Nasution, Y., & Nurita, C. (2025). Tinjauan Kriminologis Terhadap Eksploitasi Anak Sebagai Penjual Asongan Dan Pengemis Jalanan (Studi Kasus di Kota Pematang Siantar). *DIKTUM*, 3(3), 135-145. <http://dx.doi.org/10.46930/diktum.v3i3.5142>
- Surbakti, M., & Zulyadi, R. (2019). Penerapan hukum terhadap anak sebagai pelaku tindak pidana pencurian dengan kekerasan.
- Wibisono, D. P. P. (2022). Upaya Polri Dalam Menanggulangi Tindak Pidana Pencurian Dengan Kekerasan Berdasarkan Pasal 365 Kitab Undang-Undang Hukum Pidana (KUHP). *Jurnal Hukum Media Justitia Nusantara*, 12(1), 146-188. <https://doi.org/10.30999/mjn.v12i1.2062>
- Widadi, S., & Zainuddin, C. (2024). Tindak Pidana Persetubuhan yang Dilakukan oleh Anak; Analisis Penegakan Hukum Berdasarkan Asas Ultimum Remedium. *Legalite: Jurnal Perundang Undangan dan Hukum Pidana Islam*, 9(2), 185-201. <https://doi.org/10.32505/legalite.v9i2.9311>
- Wisfa, W., & Ritonga, H. (2024). Strategi Komunikasi 'Komunitas Batu Bara Membaca' untuk Meningkatkan Minat Baca Di Tanjung Tiram, Kabupaten Batu Bara. *Jurnal Ilmu Komunikasi UHO: Jurnal Penelitian Kajian Ilmu Komunikasi dan Informasi*, 9(3), 560-573. <https://doi.org/10.52423/jikuho.v9i3.237>