

**PENERAPAN SISTEM PERADILAN PIDANA ANAK TERHADAP
PENYELESAIAN PERKARA DENGAN ANCAMAN DIATAS 7 TAHUN
(Studi Kasus Putusan Nomor 4/Pid.Sus-Anak/2023/PN.JKT.SEL)**

Disusun Oleh :

Marthen Parulian S.

E1A019302

ABSTRAK

Sistem Peradilan Pidana Anak digunakan untuk menyelesaikan perkara pidana terhadap anak berhadapan dengan hukum (ABH). Berdasarkan Pasal 5 ayat (3) UU SPPA, peradilan pidana anak wajib diupayakan diversi. Syarat pelaksanaan diversi dalam Pasal 7 ayat (2) diatur bahwa diversi dilaksanakan apabila tindak pidana diancam pidana penjara dibawah 7 tahun dan bukan merupakan pengulangan tindak pidana. Sementara putusan Nomor 4/Pid.SusAnak/2023/PN.JKT.SEL anak diancam dengan pidana penjara diatas 7 tahun. Rumusan dalam penelitian ini adalah apakah penerapan Sistem Peradilan Pidana Anak pada anak A G oleh lembaga peradilan umum sudah sesuai dengan UU SPPA dan bagaimana pertimbangan hakim dalam menjatuhkan pidana terhadap anak A G. Pada penelitian ini menggunakan tipe penelitian yuridis normatif, metode pendekatan kasus dan perundang-undangan, spesifikasi penelitian preskriptif analitis. Hasil penelitian menunjukkan bahwa penerapan sistem peradilan pidana anak terhadap anak A G telah sesuai dengan UU SPPA, meskipun terdapat kekurangan dalam pelaksanaannya karena tidak dicantumkan hasil diversi dalam putusan sesuai dengan Poin 9 SEMA No. 1 Tahun 2017.

Kata kunci: Sistem Peradilan Pidana Anak, ABH, Diversi

**APPLICATION OF THE JUVENILE CRIMINAL JUSTICE SYSTEM TO
THE SETTLEMENT OF CASES WITH THREATS OVER 7 YEARS**

(Case Study Verdict Number 4/Pid.Sus-Anak/2023/PN.JKT.SEL)

Written By:

Marthen Parulian S.

E1A019302

ABSTRACT

The Juvenile Criminal Justice System is used to resolve criminal cases against children in conflict with the law. Based on Article 5 paragraph (3) of the SPPA Law, juvenile criminal justice must seek diversion. The conditions for the implementation of diversion in Article 7 paragraph (2) stipulate that diversion is implemented if the criminal offense is punishable by imprisonment of less than 7 years and is not a repetition of the crime. Meanwhile, decision Number 4/Pid. SusAnak/2023/PN. JKT. SEL, the child is threatened with imprisonment of more than 7 years. The formulation in this study is whether the application of the Juvenile Justice System to child A G by the public justice institution is in accordance with the SPPA Law and how the judge's consideration in imposing punishment on child AG. This research uses normative juridical research type, case and legislation approach method, prescriptive analytical research specification. The results showed that the implementation of the juvenile criminal justice system for AG children was in accordance with the SPPA Law, although there were shortcomings in its implementation because the diversion results were not included in the decision in accordance with Point 9 of SEMA No. 1 of 2017.

Keywords: Juvenile Justice System, Children in conflict with the law, Diversion