

RINGKASAN

Kasus anak yang berhadapan dengan hukum di Kabupaten Banyumas dari tahun 2021-2025 tergolong banyak, di Pengadilan Negeri Banyumas untuk anak yang berhadapan dengan hukum pada tahun 2021-2025 sebanyak 24 kasus, sedangkan di Pengadilan Negeri Purwokerto sebanyak 45 kasus anak. Anak yang dijatuhi pelaksanaan pidana pelayanan masyarakat di Kabupaten Banyumas dari 2021-2025 sebanyak 1 anak yang dijatuhi pelaksanaan pidana pelayanan masyarakat, sedangkan di Pengadilan Negeri Purwokerto anak yang dijatuhi pelaksanaan pidana pelayanan masyarakat sebanyak 4 anak. Pelayanan masyarakat dijatuhkan paling sebentar 7 (tujuh) jam dan paling lama 120 (seratus duapuluh) jam, di Kabupaten Banyumas pelaksanaan pidana pelayanan masyarakat dilaksanakan 1 (satu) jam perhari selama 3 (tiga) bulan lamanya dengan tidak mengganggu kegiatan anak. Rumusan masalah pada penelitian ini adalah: Bagaimanakah efektivitas pelaksanaan pidana dengan syarat berupa pelayanan masyarakat terhadap anak sebagai pelaku tindak pidana di Kabupaten Banyumas dan apakah kendala yang dihadapi dalam pelaksanaan pidana dengan syarat berupa pelayanan masyarakat terhadap anak sebagai pelaku tindak pidana di Kabupaten Banyumas dengan menggunakan teori efektivitas hukum Donald Black dan teori sistem hukum Lawrance M.Friedman. Metode penelitian yang digunakan dalam penelitian ini adalah metode pendekatan yuridis sosiologis dengan spesifikasi penelitian deskriptif analitis dengan lokasi penelitian di PN Banyumas, PN Purwokerto, Bapas dan Masjid Jami Baitul Mu'min menggunakan data primer yang diperoleh dari wawancara dan data sekunder yang diperoleh melalui studi kepustakaan. Data yang diperoleh dianalisis menggunakan metode normatif kualitatif dan disajikan dalam bentuk teks naratif. Hasil penelitian dan pembahasan dapat disimpulkan bahwa pelaksanaan pidana dengan syarat berupa pelayanan masyarakat terhadap anak sebagai pelaku tindak pidana di Kabupaten Banyumas belum efektif, karena dalam pelaksanaannya tujuan dari pidana pelayanan masyarakat belum sepenuhnya tercapai dan kendala yang dihadapi dalam pelaksanaan pidana dengan syarat berupa pelayanan masyarakat anak sebagai pelaku tindak pidana di Kabupaten Banyumas adalah: pertama dari struktur hukumnya yaitu kurangnya Pembimbing Kemasyarakatan Balai Pemasyarakatan Kelas II Purwokerto yang ada di Kabupaten Banyumas sehingga dalam pelaksanaan pengawasan pidana pelayanan masyarakat hanya 1 (satu) bulan sekali dan dilakukan oleh 1 (satu) Pembimbing Kemasyarakatan, kedua dari kultur hukum yaitu masih tingginya stigma negatif dari masyarakat.

Kata Kunci : Efektivitas, Pelaksanaan Pidana dengan Syarat, Pelayanan Masyarakat, Anak Pelaku Tindak Pidana.

SUMMARY

Cases of children in conflict with the law in Banyumas Regency from 2021-2025 are quite numerous, in the Banyumas District Court for children in conflict with the law in 2021-2025 there were 24 cases, while in the Purwokerto District Court there were 45 cases of children. Children who were sentenced to community service in Banyumas Regency from 2021-2025 were 1 child who was sentenced to community service, while in the Purwokerto District Court there were 4 children who were sentenced to community service. Community service is imposed for a minimum of 7 (seven) hours and a maximum of 120 (one hundred and twenty) hours, in Banyumas Regency the implementation of community service is carried out for 1 (one) hour per day for 3 (three) months without disrupting the child's activities. The formulation of the problem in this study is: How is the effectiveness of the implementation of criminal law with the condition of community service for children as perpetrators of criminal acts in Banyumas Regency and what are the obstacles faced in the implementation of criminal law with the condition of community service for children as perpetrators of criminal acts in Banyumas Regency using Donald Black's theory of legal effectiveness and Lawrence M. Friedman's theory of legal systems. The research method used in this study is a sociological legal approach method with analytical descriptive research specifications with research locations at Banyumas District Court, Purwokerto District Court, Bapas and Baitul Mu'min Grand Mosque using primary data obtained from interviews and secondary data obtained through literature studies. The data obtained were analyzed using qualitative normative methods and presented in the form of narrative text. The results of the research and discussion can be concluded that the implementation of criminal penalties with conditions in the form of community service for children as perpetrators of criminal acts in Banyumas Regency has not been effective, because in its implementation the objectives of community service have not been fully achieved and the obstacles faced in the implementation of criminal penalties with conditions in the form of community service for children as perpetrators of criminal acts in Banyumas Regency are: first from the legal structure, namely the lack of Community Guidance Officers at the Class II Purwokerto Correctional Center in Banyumas Regency so that in the implementation of community service criminal supervision it is only once a month and carried out by 1 (one) Community Guidance Officer, second from the legal culture, namely the still high negative stigma from the community.

Keywords: Effectiveness, Implementation of Criminal Sentences with Conditions, Community Service, Child Criminals.