

**PEMBUKTIAN TERHADAP ANAK PELAKU PERANTARA JUAL BELI
NARKOTIKA MELALUI UNDANG-UNDANG NO. 11 TAHUN 2012
TENTANG SISTEM PERADILAN PIDANA ANAK
(Studi Putusan No. 26/Pid.Sus.Anak/2022/PN.Mtr)**

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ABSTRAK

Penyalahgunaan narkoba marak terjadi pada generasi penerus bangsa. Tantangan untuk mengatasi dan mengedukasi Anak kian meningkat. Penelitian ini bertujuan untuk memahami proses pembuktian terhadap anak sebagai perantara jual beli narkoba berdasarkan ketentuan Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak, serta pertimbangan hukum hakim dalam Putusan Nomor 26/Pid.Sus.Anak/2022/PN.Mtr. Jenis penelitian yang dipakai adalah yuridis normatif dengan metode pendekatan kasus, perundang-undangan, dan putusan pengadilan. Hasil penelitian menunjukkan bahwa proses pembuktian dilakukan dengan sistem pembuktian negatif menurut KUHP, namun disesuaikan dengan prinsip perlindungan anak dalam Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak. Alat bukti yang diajukan meliputi keterangan saksi, keterangan terdakwa, barang bukti, dan petunjuk, yang secara keseluruhan membuktikan unsur tindak pidana perantara jual beli narkoba jenis sabu. Hakim mempertimbangkan faktor meringankan seperti usia terdakwa yang masih anak, sikap kooperatif, dan tidak adanya catatan kriminal sebelumnya. Berdasarkan pertimbangan tersebut, hakim menjatuhkan pidana pembinaan di Lembaga Pembinaan Khusus Anak (LPKA) demi kepentingan terbaik bagi anak.

Kata Kunci: Pembuktian, Anak, Perantara Jual Beli Narkoba, Keadilan

***EVIDENCE AGAINST CHILDREN WHO ARE INTERMEDIARIES IN THE
SALE AND PURCHASE OF NARCOTICS THROUGH LAW NO. 11/2012 ON
THE JUVENILE JUSTICE SYSTEM
(Study of Decision No. 26/Pid.Sus.Anak/2022/PN.Mtr)***

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ABSTRACT

Drug abuse is rampant among the nation's next generation. The challenge to overcome and educate children is increasing. This study aims to understand the process of proving children as intermediaries in the sale and purchase of narcotics based on the provisions of Law Number 11 of 2012 concerning the Child Criminal Justice System, as well as the legal considerations of judges in Decision Number 26/Pid.Sus.Anak/2022/PN.Mtr. The type of research used is normative juridical with a case approach method, legislation, and court decisions. The results showed that the evidentiary process was carried out with a negative evidentiary system according to the Criminal Procedure Code, but adjusted to the principles of child protection in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The evidence presented included witness testimony, defendant's testimony, evidence, and clues, which overall proved the elements of the crime of intermediary in the sale and purchase of methamphetamine. The judge considered mitigating factors such as the defendant's young age, cooperative attitude, and no previous criminal record. Based on these considerations, the judge imposed a sentence of guidance in the Special Development Institute for Children (LPKA) for the best interest of the child.

Keywords: Evidence, Juvenile, Narcotics Brokerage, Justice