

ABSTRACT

ANALYSIS OF COURT DECISION EXECUTION AGAINST CHILDREN AS PERPETRATORS OF MOLESTATION CRIME

(Study of Kota Agung Court Decision Number: 1/Pid.Sus-Anak/2015/PN.Kot)

By

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Efforts to provide guidance to children in conflict with the law manifested by the imposition of criminal coaching at the Institute of Social Welfare, as well as Kota Agung Court Number Decision: 1/Pid.Sus-Anak/2015/PN.Kot. The issue of the law is the law enforcement officers who handled the case is exposed to legal considerations quite a dilemma that on one side of punishment against children should prioritize development efforts and minimize confinement body and on the other side of the Law on Child Protection to add weighting against perpetrators of criminal acts of decency against children. The problem of this research: How is the execution of court decision execution against children as perpetrators of molestation crime? Is the execution of court decisions Number: 1/Pid.Sus-Anak/2015/PN.Kot in accordance with the purpose of punishment? Why the obstacles in the execution of court decision against child sexual abuse as a criminal?

This study used juridical normative and empirical juridical approach. The data source consists of primary and secondary data. The data collection is done through library research and field study. The data were analyzed qualitatively.

The results showed: State Attorney State Attorney General carry out the execution of the judge's decision in the Court's Decision Number: 1/Pid.Sus Anak/2015/PN. Kot with procedures that Penitera send copies of letters to the prosecutor's decision. The deadline to submit a copy of the decision of the Registrar to the prosecutor for the case of exceptional events longer than 1 week and for cases with a brief event no later than 14 days. Execution of the judge's ruling in accordance with the purpose of punishment against the convict children, which is an effort to provide guidance to children as perpetrators of criminal acts. Obstacles in the execution of Court Decision Number: 1/Pid.Sus Anak/2015/PN.Kot consisting of: Factor law enforcement, namely the limited number of officers on the Supervisor of Community Correctional Centres. Facilities and amenities, namely the unavailability of technological devices that can detect the development of children's personality and psychiatric inmates. Community factors, which are still being away from their communities and keep a distance with the former inmates of children, cultural factors, which is still the view of people who give a bad stigma against former child prisoners.

Suggestions in this study are: Law enforcement officers are advised to carry out enforcement against children who did more to consider and prioritize implementing diversion. The government is advised to set up a special law enforcement officers who deal with children. Parents and the public at large, should further enhance the supervision and control of the environment and children's playground.

Keywords: Execution, Child, molestation