

ABSTRAK

EFEKTIVITAS SISTEM PERADILAN PIDANA ANAK DALAM MENANGGULANGI MENINGKATNYA TINDAK PIDANA OLEH ANAK (Studi di Wilayah Kota Bandar Lampung)

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Meningkatnya tindak pidana yang dilakukan oleh anak dalam beberapa tahun terakhir, menjadi alarm serius bagi pemerintah dan masyarakat. Fenomena ini menunjukkan adanya kelemahan dalam upaya pencegahan maupun pemberantasan yang seharusnya menjadi fungsi utama Sistem Peradilan Pidana Anak. Kebutuhan mendesak untuk mengevaluasi sejauh mana Sistem Peradilan Pidana Anak yang berdasarkan Undang-Undang Nomor 11 Tahun 2012 masih relevan dan efektif dalam menghadapi dinamika sosial, percepatan kedewasaan anak akibat pengaruh teknologi, serta tuntutan keadilan bagi korban dan masyarakat. Hal tersebut melatarbelakangi rumusan masalah dalam penelitian ini, yaitu: Bagaimanakah efektivitas sistem peradilan pidana anak dalam menanggulangi peningkatan tindak pidana yang dilakukan oleh anak di bawah umur? dan Apa sajakah faktor penghambat sistem peradilan pidana anak dalam menanggulangi tindak pidana oleh anak di bawah umur?

Penelitian ini menggunakan metode pendekatan yuridis normatif dan yuridis empiris, dengan data primer diperoleh melalui wawancara dengan Hakim Anak Pengadilan Negeri Tanjung Karang, Jaksa Anak Kejaksaan Negeri Bandar Lampung, Anggota Unit Perlindungan Perempuan dan Anak Polresta Bandar Lampung, Lembaga Swadaya Masyarakat Damar Lampung, serta Dosen Bagian Hukum Pidana Fakultas Hukum Universitas Lampung, dan data sekunder bersumber dari peraturan perundang-undangan, literatur hukum, dan dokumen resmi terkait. Data dalam penelitian ini diperoleh melalui studi pustaka dan studi lapangan, kemudian diolah dan dianalisis dengan menggunakan metode analisis kualitatif.

Hasil penelitian dan pembahasan ini menunjukkan: Efektivitas Sistem Peradilan Pidana Anak (SPPA) dalam menanggulangi tindak pidana anak di wilayah kota Bandar Lampung masih belum optimal, berdasarkan data pada tahun 2020 tercatat 747 kasus anak berhadapan dengan hukum, namun hanya 7–10% yang diselesaikan melalui diversi. Meskipun ada peningkatan pada 2021–2022, persentasenya tetap rendah, dan pada 2024 jumlah kasus menurun menjadi 322, tetapi belum jelas berapa yang ditangani secara non-litigasi, menandakan efektivitas diversi masih

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terbatas. Jika diukur dengan indikator Hiroshi Ishikawa, SPPA masih menghadapi kendala pada tingkat pengungkapan perkara, keberhasilan pembuktian yang lebih menekankan penghukuman, lambatnya proses penyelesaian, tingginya pengulangan tindak pidana, serta rendahnya partisipasi masyarakat dan keluarga. Faktor-faktor penghambat sistem peradilan pidana anak dalam menanggulangi tindak pidana yang dilakukan oleh anak di bawah umur antara lain faktor substansi hukum, yaitu masih adanya pasal-pasal dalam Undang-Undang Sistem Peradilan Pidana Anak yang kurang adaptif terhadap kompleksitas kejahatan anak; faktor sarana dan prasarana, berupa keterbatasan lembaga pembinaan serta kualitas program rehabilitasi; faktor aparat penegak hukum yang belum optimal dalam menerapkan prinsip keadilan restoratif secara seimbang antara pelaku, korban, dan masyarakat; serta faktor sosial, berupa rendahnya peran serta keluarga dan masyarakat dalam pengawasan serta pembinaan anak.

Saran dari penelitian ini adalah, Pemerintah daerah bersama aparat penegak hukum dan lembaga pembinaan perlu memperkuat koordinasi serta meningkatkan kapasitas aparat dalam menerapkan keadilan restoratif, mempercepat proses peradilan, dan memperluas program pembinaan serta reintegrasi sosial bagi anak. Pemerintah pusat dan daerah perlu melakukan evaluasi menyeluruh terhadap pelaksanaan SPPA dengan memperbaiki aspek hukum, penegakan, sarana-prasarana, serta budaya masyarakat, disertai peningkatan literasi hukum, pendidikan karakter, dan penghapusan stigma terhadap anak pelaku tindak pidana agar sistem peradilan pidana anak benar-benar efektif, humanis, dan berkeadilan.

Kata Kunci: Efektivitas, Sistem Peradilan Pidana Anak, Tindak Pidana, Anak

ABSTRACT

THE EFFECTIVENESS OF THE JUVENILE CRIMINAL JUSTICE SYSTEM IN OVERCOMING THE INCREASE OF CRIMINAL ACTS COMMITTED BY CHILDREN (A Study in the City of Bandar Lampung)

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The increasing number of criminal acts committed by children in recent years has become a serious alarm for both the government and society. This phenomenon indicates weaknesses in prevention and law enforcement efforts, which should be the main functions of the Juvenile Criminal Justice System. There is an urgent need to evaluate to what extent the Juvenile Criminal Justice System, as regulated in Law Number 11 of 2012, remains relevant and effective in addressing social dynamics, the accelerated maturity of children influenced by technology, and the demands for justice for victims and society. This situation underlies the formulation of the research problems, namely: How effective is the Juvenile Criminal Justice System in addressing the increasing number of crimes committed by minors? and What are the inhibiting factors of the Juvenile Criminal Justice System in dealing with crimes committed by minors?

This study uses a normative and empirical juridical approach, with primary data obtained through interviews with the Juvenile Judge at the Tanjung Karang District Court, the Juvenile Prosecutor at the Bandar Lampung District Attorney's Office, members of the Women and Children Protection Unit (PPA) of the Bandar Lampung Police, the Damar Lampung NGO, and lecturers from the Criminal Law Department at the Faculty of Law, University of Lampung. Secondary data were obtained from legislation, legal literature, and relevant official documents. The data were collected through literature and field studies, then processed and analyzed using qualitative analysis methods.

The results and discussion show that: The effectiveness of the Juvenile Criminal Justice System (JCJS) in addressing juvenile delinquency remains suboptimal, both nationally and in Lampung Province. In 2020, there were 747 cases involving children in conflict with the law, but only 7–10% were resolved through diversion. Although there was a slight increase in 2021–2022, the percentage remained low, and by 2024, the number of cases had decreased to 322, yet there was no clear data on how many were handled non-litigiously, indicating that the effectiveness of diversion remains limited. Based on Hiroshi Ishikawa's indicators, the JCJS still faces challenges related to the rate of case disclosure, a prosecutorial focus on

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punishment rather than rehabilitation, slow judicial processes, a high rate of recidivism, and low community and family participation. The inhibiting factors of the Juvenile Criminal Justice System in addressin crimes committed by minors include legal substance factors, namely the existence of provisions in the Juvenile Criminal Justice System Law that are less adaptive to the complexity of juvenile crimes; infrastructural factors, namely the limited availability of juvenile rehabilitation institutions and the quality of rehabilitation programs; law enforcement factors, namely the lack of optimization in implementing restorative justice principles fairly among perpetrators, victims, and society; and social factors, namely the low role of families and communities in supervising and rehabilitating children.

The recommendations of this study are: Local governments, law enforcement agencies, and rehabilitation institutions should strengthen coordination and enhance the capacity of officers to implement restorative justice, expedite judicial processes, and expand rehabilitation and social reintegration programs for children. The central and local governments should conduct a comprehensive evaluation of the implementation of the JCJS by improving the legal framework, enforcement mechanisms, infrastructure, and social culture, accompanied by efforts to increase legal literacy, character education, and eliminate stigma against child offenders so that the Juvenile Criminal Justice System becomes truly effective, humane, and just.

Keywords: *Effectiveness, Juvenile Criminal Justice System, Crime, Children.*