

## **Legal Protection Of Children As A Drug Abuse Of Drugs**

<sup>1</sup>sitti Khadijah Nur Fajri A

<sup>1</sup> *Student of Magister of Legal Science of Postgraduate Program of Muslim University of Indonesia*  
*Corresponding Author: sitti Khadijah Nur Fajri A*

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**Abstract:** The purpose of this research is to know to analyze the factors or causes of drug abuse done by the child, and to know and mngnalysis legal protection process given to the child. The research method used is sociological jurisdiction, namely research on the implementation of legal rules regarding the legal protection of children as a result of drug abuse. Child protection is a national development field. Protecting the child is protecting people, is building a whole person. The law serves as the protection of human interests, so that human interest is protected, the law must be implemented professionally and well. Implementation of the law can be peaceful, normal, and orderly.

**Keyword:** Legal Protection, Children, Abuse Of Drugs

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### **I. INTRODUCTION**

Children as creatures of God Almighty and social beings from the womb until born, have the right to life and freedom and get protection, both from parents, family, society, nation and state. No human being can take the right to life and freedom of others. If the parent abort the child in his or her womb, it will be processed legally to account for the act, including the offense committed against the child who has been born. The right of the child to life and freedom is a fundamental right and freedom that can not be eliminated or eliminated, but must be protected and expanded.

The right of the child is a part of Human Rights which is guaranteed and protected by law, both international law and national law. Child rights should even be treated differently than adults, which are specifically regulated in specific conventions. Children's rights are treated differently from adults because children from birth, growing up and growing up to adulthood are still dependent on their family and environment, not independent and require special treatment in nutrition, health, education, knowledge, religion, skills, employment, security, free from fear, free of worries or

Population growth in Indonesia is not currently under control, so that growth can affect the quality for Indonesian children. The condition of Indonesian children is actually very alarming, especially in big cities, such as Jakarta. Children's daily sights roam the streets of the protocol, in slums, under bridges, in huts, struggling to survive, waiting for the mercy of people as beggars, irrespective of the harsh and cruel life of the world so as to misuse psychotropic without awareness (attention) and protection from the government or the state against such a terrible condition.

Indonesia is a country implementing the National Development in various fields. Indonesia's National Development is aimed at realizing a just, prosperous, prosperous and peaceful Indonesian society based on Pancasila and the 1945 Constitution. Creating a prosperous Indonesian society needs continuous improvement of efforts in medicine and health services including the willingness of Drugs as a drugs, in addition to the development of science efforts include research, development, education, and teaching so that its availability needs to be guaranteed through production and import activities. One of the most serious problems facing the government today is the abuse of drugs. Drug Abuse is the use beyond medical indication, without instructions or prescription, and its use is pathological (causing abnormalities) and cause barriers in all activities and create dependence. Since the development of Indonesia's era in education, culture, technology, and lies in position between three (3) continents, the influence of globalization, the highly advanced transport flow and the shifting of the matrialistic value with the dynamics of the target of illicit circulation. The development is not always bring a positive impact for society, but it can bring negative impact. Negative impacts arising from this globalization is the rampant illegal drug trafficking that has reached almost all layers of society, and in general are teenagers / students and young adults, including children, causing dependence that resulted in a crime. The term "evil is part of social life, and is inseparable from the daily activities of human beings. Robbery, rape, fraud, penoduan, and various forms of similar behavior, show the social dynamics, a normal form of social life".

Drug abuse is a hazard that is very detrimental to the self as well as disturbance to the life order of the community so that as the perpetrator and the victim can have bad impact both physical and spiritual, causing huge loss for the country and nation of Indonesia. Indeed, one of the children of Indonesia who is a huge asset as a potential human resource (HR) is priceless, street children as a young generation who will receive the national and international development relay, both on a regional and international scale. "States should ensure the existence of jalana / neglected children in their social, mental, or growing needs or their physical growth". Drug abuse occurs due to a child who is not socially involved or a lack of attention from parents and the surrounding community so try and use drugs then cause many minors.

Attempts to eradicate illicit channels and drug abuse need to be an integrated effort in both national and regional environments. For Indonesia, its geographical condition consisting of thousands of islands with wide-open coastlines is recognized as a highly vulnerable area for illegal traffic of narcotics. The eradication of illegal trade routes and production in other regions has been intensively carried out by the authorities. However, sustained eradication is required.

### **B. Formulation of the problem**

As for from the background, it can be put forward this problem that is what is the legal protection of children who drug abuse? and how are the factors causing the abuse drugs done by children?

## **II. THEORETICAL FRAMEWORK**

### **Legal protection**

The protection of the law is to provide a guidance to human rights that are harmed by others and the protection is given to the community so that they may enjoy all the rights granted by law or in other words the protection of the law is the various legal remedies which must be provided by law enforcement officers to give sense of security, both mind-and-body from interference and threats from any party. Legal protection is the protection of prestige and dignity, as well as the recognition of human rights held by legal subjects under the legal provisions of arbitrariness or as a set of rules or rules that will protect one thing from another. In relation to the consumer, the law provides protection for the rights of the customer from something that results in the non-fulfillment of such rights. Legal protection is a narrowing of the meaning of protection, in this case only protection by law only. The protection afforded by law, also relates to the existence of rights and obligations, in this case which is owned by human being as the subject of law in its interaction with fellow human being and its environment. As the subject of human law has the right and obligation to perform a legal action.

According to Philipus M. Hadjon, the view that the means of legal protection consists of means of Preventive Legal Protection and the means of repressive law protection. This preventive law protection, legal subjects are given the opportunity to file an objection or opinion before a government decision gets a definitive form. The goal is to prevent the occurrence of disputes. The protection of preventive law is especially meaningful for governmental acts based on freedom of action because with the prevention of preventive law laws the government is encouraged to be cautious in making decisions based on discretion. In Indonesia there is no specific regulation on preventive legal protection.

Repressive legal protection aims to resolve disputes. Handling of legal protection by the General Courts and Administrative Courts in Indonesia includes this category of legal protection. The principle of legal protection of government action rests on the concept of recognition and protection of human rights because historically from the west, the concepts of recognition and protection of human rights are directed towards the limitation and laying of community obligations and government. The second principle underlying the legal protection of governmental action is the principle of the rule of law. Associated with the recognition and protection of human rights, the recognition and protection of human rights has a central place and can be linked to the objectives of the rule of law.

The definition of protection under the provisions of Article 1 point 6 of Law Number 13 Year 2006 concerning the Protection of Witnesses and Victims determines that protection is any effort to fulfill the right and provide assistance to provide a sense of security to the Witness and / or Victim that must be implemented by LPSK or other institutions accordingly provided that this Act is responsible for the actions taken. The sense of justice and the law must be enforced under the Positive Law to uphold justice in law in accordance with the reality of the people who desire the achievement of a safe and peaceful society. Justice must be built in accordance with the ideals of law (*Rechtidee*) in the rule of law (*Rechtsstaat*), not the state of power (*Machtsstaat*). Law serves as the protection of human interests, law enforcement must pay attention to 4 elements a) Legal certainty (*Rechtssicherheit*), legal benefits (*Zweckmassigkeit*), Legal justice (*Gerechtigkeit*), Legal guarantee (*Doelmatigkeit*).

Law and justice enforcement should use the proper course of thought with evidence and evidence to realize legal justice and the content of the law should be determined by ethical beliefs, whether fair or not a matter. Legal problems become apparent if the legal instruments perform well and meet, keep the rules that have

been standardized so that there is no systematic misuse of rules and laws that have been done systematically, meaning using codification and legal unification for the realization of legal certainty and legal justice.

The law serves as the protection of human interests, so that human interest is protected, the law must be implemented professionally. Implementation of the law can be normal, peaceful, and orderly. Laws that have been violated must be enforced through law enforcement. Law enforcement requires legal certainty, legal certainty is a justifiable protection against arbitrary acts. People expect the legal certainty because with the legal certainty society will be orderly, safe and peaceful. The community expects benefits in the implementation of law enforcement. The law is for human so the implementation of the law must give benefit, the utility for the society not to the law implemented cause unrest in society. People who get the right and right treatment will realize the circumstances that the order of the tentrem raharja. The law can protect the rights and duties of each individual in a real reality, with strong legal protection to realize the general purpose of law: order, security, tranquility, prosperity, peace, truth and justice.

### **III. DISCUSSION**

#### **Legal Protection Against Children as Criminal Actors**

The independence that has been fought for by the Indonesian people with many sacrifices and colored with suffering in a very long time has given birth to the nation and the sovereign Indonesian State in the form of a law-based State. The 1945 Constitution as the highest legal and legal foundation in Indonesia, through the opening of its fourth paragraph, mandates the government to: protect the entire nation of Indonesia and the whole of Indonesia's blood sphere, to promote the common sense, to improve the life of the nation, to implement the world order based on independence, peace immortal and social justice. These values give birth to the recognition and protection of human rights in its form as individual beings and social beings in a unified state container that high up the spirit of kinship in order to achieve common prosperity. faith of human interest protected by law. Legal protection is the protection of human interests that are protected by law. Where human interest is protected by common law called rights. The right to authorize a person to perform an act may be preserved against anyone and vice versa everyone should respect that right. Legal protection aims to provide assurance of rights, maintain and defend the right if in langgar. Thus the essence of legal protection is more aimed at protecting the weaker party against behavior that is not in accordance with prevailing legal norms from those who have more power, capability and power in terms of economic, political, psychological and the like.

In relation to the issue of legal protection, the protection of the law and its rights for children is one approach to protecting Indonesian children. In order to protect the rights of children can be done regularly, orderly and responsible, it can be necessary law that is in line with the development of society. In relation to the issue of legal protection for children, the 1945 Constitution in article 34 has been affirmed that "the poor and neglected children are kept by the State". This shows the government's serious attention to the rights of children and this protection is separated in various provisions of the stomach of other legislation.

Child protection is a national development field. Protecting the child is protecting people, is building a whole person. Due to the absence of child protection will cause various social problems that can disturb the order, security and national development.

Child protection is an attempt to establish a condition whereby each child may exercise his / her rights and obligations. The protection of children is a manifestation of justice in a society. Thus, the protection of children should be in the effort in various areas of state and community life.

Child protection law can be interpreted as a law (written or unwritten) which ensures the child can properly perform its obligations. Child protection law: customary law, civil law, Criminal law, civil law, criminal procedure law, civil procedure law, other regulations concerning children. Child protection involves various aspects of life and livelihood, so that children can truly grow and develop properly according to their human rights. Bisma siregar said that: "The issue of legal protection for children is one of the approaches to protecting Indonesian children. The problem is not solely a juridical approach, but a broader approach, economic, social and cultural. " According to Arif Gosita said that the law of child protection is a child protection activity which is a legal action that brings legal consequences. He further mentioned that there is a need for legal guarantee for the child protection activities. The legal certainty needs to be sought for the sake of continuity of child protection activities and to prevent misconduct that brings unintended negative consequences in the implementation of child protection activities. And according to Bisma Siregar mentions that the law of child protection has a centralized aspect to the rights of the children is regulated is the law and the obligation, since the law (juridical) the child has not been burdened with obligations. Law No. 35 of 2014 on Amendment to Law No. 23 of 2002 concerning Child Protection in Article 1 states that "Child protection is all activities to guarantee and protect children and their rights in order to live, grow and develop, and participate optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination ".

Special protection is protection afforded to children in emergency situations, legal, minority and isolated children, exploited economically or sexually, trafficked, abused alcohol, psychotropic and other

addictive substances (drugs), child victims kidnapping, selling and trading, child victims of violence both physical and / or mental, the child as a person who is very unique and has a distinctive characteristic. Although he acts on his own feelings, thoughts and intentions, the surroundings have considerable influence in shaping a child's behavior. For that guidance, coaching and protection of parents, teachers, and other adults are in need by children in its development.

Law No. 4/1999 on the Child's Welfare in Article 2 Paragraph 3 and 4 specifies that "the child shall be entitled to maintenance and protection, both during and after birth. The child shall be entitled to environmental safeguards which may endanger or impede growth and development in a reasonable manner ". The legal provisions as mentioned above clearly encourage the need for child protection in order to promote child welfare and fair treatment of children. Law Number 39 Year 1999 on Human Rights regulates the protection of human rights, including the rights of children, in Article 2 paragraph (4) which formulates that "the child has the right to protection from the environment which may be harmful or hamper growth and development with reasonable.

### **Forms of Legal Protection Against Children**

In general, it can be argued that child protection can be distinguished by juridical protection, and legal protection is private. Legal Protection in the Public Sector, In the protection of the law against the public in public shutter where, public legal action by the authorities in running its function as a government of actions undertaken by the authorities in the form of decisions or provisions in government instruments. Decisions and provisions as a legal instrument of government in unilateral legal action can be the cause of violations of the law against the state, especially in a modern state of law which gives wide authority to the government to interfere in the lives of citizens. Therefore, there is a need for legal protection for citizens against legal action by the government.

Private Legal Protection in the position of the government as a representative of a public legal entity that can perform legal actions in the field of civilization such as buying and selling, leasing, making agreements, and so on. In legal protection in the form of civil, usually related to licensing is done to the private sector, the individual that is done by the government in giving permission. In this case how the government perform its role as whichever is in accordance with the provisions of applicable legislation.

Non-juridical protection, including, the social field in this case that relates to the protection of children for social or social life and the procurement of social and environmental conditions conducive to the growth of children. The field of health in this case relates to the protection of children's health both physically and spiritually as well as make efforts to improve the health and nutrition of children. The field of education includes the right of the child to get teaching both regular and non-regular and improving the quality of education through various scholarship programs and procurement of educational facilities more complete and sophisticated. This juridical child protection involves all legal rules that have a direct impact on a child's life, in the sense of all the legal rules governing the life of a child. For Indonesia in addition to the written law, there is also an unwritten law, so that the scope of child protection that is juridical, covers the provisions of customary law. Child protection guarantee against the law.

In addition, the Convention on the Rights of the Child provides a guarantee of protection (specifically) against children facing the law. This is contained in article 37 on torture and deprivation of liberty. Guarantees of protection in the Convention on the Rights of the Child are translated into Indonesian laws and regulations, namely Law No. 3 of 1997 concerning juvenile justice and Law no. 35 Year 2014 on child protection. The Child Protection Act states that "The Government and other State Institutions are obliged and responsible for providing special protection to children in emergency situations, law-abiding children, children of minorities .... and (art. 59). implemented through (Article 64 paragraph 2);

### **Legal Protection to Children Who Abuse Drugs**

Efforts to provide protection to children also receive the attention of all countries including Indonesia and are implemented in various forms of policies of legislation and other social policies. The issue of legal protection for children in Indonesia is one way to protect the nation's shoots in the future. Legal protection of street children can be interpreted as legal protection against various freedom and children rights and various interests related to child welfare. Thus, legal protection for children is like providing legal protection for children covering the broad aspects of child protection law such as criminal law, procedural law, constitutional law, and civil law.

Juridical-philosophical, the use of criminal law as a means of combating crimes committed by children is basically dilemmatic. On the one hand, the use of criminal law as a means of crime prevention by children by placing children as "perpetrators" of crime will have a very complex negative impact, but on the other hand the use of criminal law as a means of preventing child crime is considered to be a "choice" and legal. According to Article 16, paragraph 3 of Law No.23 of 2002 on Child Protection states that: "Arrest, Detention, or imprisonment is only done if it is in accordance with applicable law and can only be done as a last resort". In integrating policies, in the context of child crime policy, it needs to be modified, not just the politics of public

welfare and public protection politics in general, but is directed specifically to the politics of child welfare and the politics of the protection of the rights children, both children in general and children who are children of delinquent children or neglected children. So it needs attention and at the same time thinking that resulted in a strategic policy based on the idea that children are the hope buds of the nation that will continue the existence of the nation and nation for all of them.

Various legal instruments, both national and international, suggest that the prevention of drug abuse by children through the use of criminal law should be avoided when sacrificing the interests of the child. Law enforcement of children becomes meaningless if the negative impacts are greater and more dangerous. Given the prevention of drug abuse conducted by children through the use of criminal law is very potential to cause suffering both physically and mentally children, so should be given legal protection to provide a sense of security to children. Therefore, it is necessary to consider alternative policy. According to The United Nations Standard Minimum Rules for The Administration of Juvenile Justice (Beijing Rules), the perpetrators of child crimes should be avoided as far as possible from the judicial process.

Diversi, The development of children who are comprehensive in general include physical, emotional and social conditions intelektual. Bila all this goes in harmony it can be said that the child is in a healthy state of his soul. To understand the street children means also understand the child's own development and overcome the problematic child is very reasonable if all forms are done solely for the purpose of the child's own interest.

Barda Nawawi Arief believes that criminal / criminal purposes when departing from national objectives should be linked to 4 (four) aspects or scope of community protection,

- a. Society needs protection against anti-social actions which harms and endangers the public. Departing from the aspect this, the purpose of criminal purpose (criminal law enforcement) is preventing and tackling crime.
- b. Society needs protection against its dangerous nature someone. Therefore, criminal / criminal law aims fix the perpetrator or attempt to change and influencing his behavior to re-obey the law and be a good and useful citizen.
- c. Society also needs protection against abuse sanctions or reactions from law enforcers and from citizens in general, it is also natural that criminal purposes should prevent arbitrary treatment or acts outside the law (inhuman).
- d. Mas need protection against balance or the alignment of various interests and values as disturbed the result of a crime. Therefore it is also natural if criminal law enforcement should be able to resolve that conflict caused by a crime, can restore balance and bringing a sense of peace in society.

Implementation of criminal sanctions for children often creates problems that are dilemmatic either juridically, sociologically or philosophically. there is a paradigmatic dilemma related to the approach taken against children who commit drug abuse. Juridically, children who commit drug abuse are qualified as perpetrators of criminal acts. But conceptually, because psychotropic abuse is qualified as a crime whiteout victim which means the victim of the crime is the perpetrator himself, then in the case of the occurrence of drug abuse that becomes the victim (crime) it is perpetrators.

Thus, conceptually, children who commit drug abuse, in addition to their qualifications as perpetrators, they are also victims. The concept of diversion is the concept of transferring a case from the formal process to the informal process. The transfer process is intended to provide protection for children in conflict with the law . Furthermore, each institutional interenetically discussed again about the concept of diversion in providing protection to child offenders.

In the opinion of Peter C. Kratoski, there are three types of implementation of the diversionary program that can be implemented, namely the implementation of social control orientation, ie law enforcement officers submit the offender in the responsibility of supervision or observation of the community, with compliance with the approval or warning given. The perpetrator accepts responsibility for his actions and is not expected to have a second chance for the perpetrator by the community, and social service orientation by the public to perform the function of supervising, interfering, repairing and providing services to the perpetrator and his family. People can interfere with the perpetrator's family to provide repair or service.

Towards a process of restorative justice or bargaining (balancing or restorative justice orientation), ie protecting the community, giving the perpetrator a chance to be directly responsible to the victim and the community and making a collective agreement between the victim and the community. Implementation of all parties involved are brought together to reach agreement of action on the perpetrator.

The transfer of the yusdisial process to the nonyusdisial process in the settlement of the child's case has the following urgency and relevance:

- 1) A non-yusdisial settlement process for a child wil avoiding patterned and systematic violence, especially psychological violence against children by enforcement officers law.
- 2) Through the diversion mechanism children are still given the opportunity to accountable for his actions, but through mechanisms which is more elegant according to the child's perspective. Resolution on nonyustisial is not intended to free the child from the possibility of a child's accountability of all due to

his actions. Therefore, through the diversion mechanism will gained double advantage. On the one hand the child is spared from the various negative impacts due to contact with law enforcement officers, while on the other hand the child can still be accountable due to his actions without having to put pressure on mentally child.

- 3) A diversion mechanism can be considered a corrective mechanism to the ongoing judicial conduct of the child all this time. The first and direct law enforcement agencies tangent to the police community basically have such a great potential to change the culture of society. Authority and police authority when dynamically packaged will become a means for police in building society. Child should be avoided as far as possible from the judicial process. Children should still prioritized to be kept away from contact with the authorities criminal law enforcement, but by no means should be exempt from responsibility. Within a fixed tolerance limit the protection of the rights and interests of the child, the process outside the law criminal remains possible. Therefore, in the role and its function as a police investigator can also be given authority to divert the examination process from the judicial process toward non-judicial process. Process transfer occurs at the police level, then the police can still do the examination of course with the face and substance of the examination are different from the investigator on generally, so as to avoid the child from the proces the judiciary can still be realized. Needs inspection by police limited only to the extent of child involvement in drug abuse, so the rehabilitation process immediately can be done.

The benefit of transferring cases from a judicial process to a non-judicial process against a child doing psychotropic abuse. Conceptually, crime prevention can be done either by means of criminal law (penal means) or other means outside of criminal law (non penal means). The use of criminal law as a crime-prevention tool is oriented to the prevention after the crime occurs. While the prevention of crime through non-penal means is oriented to prevent crime. Thus, crime prevention through non-penal means is oriented towards the effort before the crime occurs. With the construction of such thoughts, that the prevention efforts by using criminal law means more corrective, while the effort to overcome crimes by using non-criminal means more causatif.

Efforts to divert from the judicial process to non-judicial processes in the prevention of psychotropic abuse by children, is basically an attempt to resolve the abuse of drugs conducted by children off the criminal law. That is, the transfer of the process from the judicial process to the non-judicial process in the prevention of drug abuse by children, is basically an effort to prevent the child from the application of criminal law.

Diversity and its relevance to the purpose of punishment for children depart from the Consideration of Law no. 3 Year 1997 on the Juvenile Court, it can be concluded that the purpose of punishment for children pursued through this mechanism is in order to provide guidance and protection to the interests of the child to ensure growth and development both physically and mentally. Diversi in essence also has a purpose so that children avoid the negative impact of criminal application. Diversi also has the essence of ensuring the child grows and develops both physically and mentally.

Thus it can be argued that subversion is fundamentally relevant to the purpose of punishment of children. Departing from such thoughts, then the prevention of drug abuse committed by children by means of criminal law is not in place. Such a view departs from the following reasons: First, as a means of criminal justice prevention is basically a drug that is only oriented to the prevention after the crime. Thus, the use of criminal law as a means of combating crime is only corrective and repressive. Such an approach can be tolerated when it is only oriented to the offender. In fact, children who perpetrate drug abuse not only as a perpetrator of criminal acts, but also as victims. Second, starting from the idea that children who abuse drugs are also victims, then efforts to provide protection against children who abuse drugs are also a priority.

### **Restorative Justice**

The concept of restorative justic has been growing globally all over the world. This concept becomes one of a number of important approaches to crime and justice that are constantly being considered in the judicial system and in the law. In the development of protection of children also develop the concept of restorative justice is a concept of conflict resolution that occurs by involving the parties concerned with the criminal acts that occur (victims, perpetrators, families of victims, family actors, community and moderator).

Restorative Justice aims to empower victims, perpetrators, families and communities to remedy an act against the law, using awareness and insight as a foundation for improving community life. In the meeting, the mediator gives the child the opportunity to give a clear picture of the action he has done. Deliberation is done is important to determine the action or handle the consequences of child actions in the future. The acts or punishments provided benefit the child, the society and the imbalances and disorders in his environment have been restored with the punishment he has imposed. The crime of drug abuse perpetrated by a child, seen as a violation of humanity and the relationship between human beings, creates an obligation to make things better by involving themselves and the community in finding solutions to reconciliation, reconciliation and reassurance.

Restoraive justice is an effort to support and implement the provisions set forth in Article 16 paragraph 3 of Law No.23 of 2002 on Child Protection, namely "that arrest, detention or imprisonment of children is only

done if it is in accordance with applicable law and can only be done as a last resort ". The criminal prosecution of the public prosecutor, rarely found any criminal charges, but the act that if the defendant is found guilty, the action is returned to his parents or the breath in accordance with the duration of the defendant's child is in temporary detention. Efforts to execute the law order for prison imprisonment of children is the last attempt, the best decision is the action to return children to their parents or social service to be educated and nurtured properly.

There are several reasons for the implementation of restorative justice to the child should be imposed the act of return to the parents, namely: The child is first first to do the deliberate (first offender), the child is still school Crime committed not a serious crime morality, criminal acts that result loss of life, serious injury or lifelong disability, or a disturbing crime harm the public interest, and the parent / guardian of the child is still able to properly educate and supervise the child.

#### IV. CONCLUSION

1. Child protection is a national development field. Protecting the child is protecting people, is building a whole person. The law serves as the protection of human interests, so that human interest is protected, the law must be implemented professionally and well. Implementation of the law can be peaceful, normal, and orderly.
2. The process of criminal law enforcement pursued by procedure as stipulated in the Book of the Republic of Indonesia Number 35 Year 2014 on Child Protection, Law of the Republic of Indonesia Number 11 Year 2012 on Child Criminal Justice System (hereinafter abbreviated as SPPA Law) the substitution of Law No. 3/1997 on Juvenile Justice has stipulated unequivocally the Justice Diversi aimed at avoiding and removing children from the judicial process so as to avoid stigma against children in conflict with the law and the child may return to the social environment reasonable. In Article 1 Sub-Article 7 of the SPPA Law, Diversi is said to be the transfer of the settlement of the Child's case from the criminal justice process to proceedings outside the criminal court

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