

## BUILDING DEVELOPMENT MODELS CHILDREN WHO CONFLICT WITH LAW THROUGH PARADIGM OF INDIVIDUALIZATION OF INVESTMENTS CHILDREN'S SPECIAL DEVELOPMENT INSTITUTIONS<sup>1</sup>

Suryawan Raharjo, Hartiwingsih, Supanto

### ABSTRACT

*Coaching aimed at children must originate in categories, including types of crimes committed by children, age of children, children's education, perpetrators who have committed a crime or not, and others. Besides that, the needs of other children must also be considered, such as holding counseling activities, work packages with the intention that the child has a living provision that can be used after he has finished his sentence. Thus child protection must also be carried out on children who experience behavioral problems (violations of young age), because the child is committing a crime not because he has an evil nature, but because the child's condition is unstable due to the circumstances that come from the child himself or comes from the outside world, which is the surrounding environment. In order to realize the individualization ideas of coaching (individual treatment of prisoners) in coaching the Children in Conflict with the Law, it is necessary to study in depth and holistic about the changes in the institutional system and to the coaching paradigm of the Child Correctional Institution to become a Special Child Development Institution or LPKA according contained in Law Number 11 of 2012 concerning the Criminal Justice System of Children. Research This dissertation uses the Normative-Empirical method, meaning: Normative Legal Research, in the form of: document scrutiny, positive law or literature literature which is secondary data. The existence of intensity of closeness and relevance is the basis for determining a legal material included in certain criteria, such as; primary, secondary and tertiary. And, Field Law or Empirical Research, is a type of primary data. In the form of finding the realities of problems at the Special Child Development Institution or LPKA.*

Keywords: Children in conflict with the law, Special Child Development Institutions, Individualization Coaching.

### A. Background Issues.

The young generation is a national asset to carry out the development of the nation, as the successor to the ideals of the nation's struggle and to realize the quality of Indonesian human resources and capable of leading and maintaining national unity and unity, it is necessary to make efforts in the form of continuous guidance for survival, growth and physical, mental and social development as well as protection from all possible things that will endanger them in the future. In reality there are some young people who may live with us or we can observe in media reports that are forced to deal with the law even to get sentenced for their actions which violate the provisions of material laws.

Based on Law Number 39 of 1999 concerning Human Rights, Law Number 23 of 2002 concerning Child Protection as renewed by Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection and Law Number 17 of 2016 concerning the Stipulation of Government Regulation in Lieu of Law Number 1 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection into law, Law Number 11 of 2012 concerning Child Criminal Justice System and Presidential Decree Republic of Indonesia Number 36 of 1990 concerning Ratification of the Convention on the Rights of the Child (CRC) is a statutory law that places children as legal subjects who have a high level of dignity so that substantially the legislation regulates explicitly the rights of children, especially rights life, rights in name, education rights, basic health rights, p I worship according to his religion, the right to express, think, play, create, rest, hang out and social security rights. Furthermore, in the application level related to law enforcement efforts that experience problems, this is due to the condition of the people who tend to be apathetic, the factors of children with deviant behavior, law enforcement officers who are pragmatic and the criminal justice system that has not reflected the truth intrinsic.

Without realizing it, of course it can cause a great psychological impact on children which ultimately affects the mental and mental development of the child. Therefore by treating the child as adults, it is feared that the child will quickly imitate the treatment of the people who are nearby.<sup>2</sup>

<sup>1</sup> Suryawan Raharjo, NIM. T310911018, Building a Model of Coaching for Children in conflict with the Law through the Individualization Paradigm of Crime in Child-Special Development Institutions. Promoter: Prof. Dr. Hartiwingsih, S.H., M.Hum. and Co. Promoter: Prof. Dr. Supanto, S.H., M.Hum. Dissertation of the Sebelas Maret University Law Faculty Law Science Program, 2018.

<sup>2</sup> Wagiati Soetodjo, *Hukum Pidana Anak*, PT. Refika Aditama, Bandung, hlm. 11.

Special justice for children who have deviant behavior and violates the law is intended to provide protection in an effort to stabilize the legal basis while providing legal protection to Indonesian children who have deviant behavior because on the other hand they are the shoots of the nation who are expected to behave good and responsible.

Legal treatment for children should get serious attention because after all these children are the future of a nation. Therefore, in making decisions, judges must be sure that the decisions taken will be a strong basis for returning and regulating children towards a good future to develop themselves as citizens who are responsible for the life of the nation.<sup>3</sup>

Amendments to Law Number 3 of 1997 concerning Juvenile Courts are carried out with the aim of establishing a court that truly guarantees the protection of the best interests of children facing the law as the nation's successor. Therefore, the punishment system for children who are dealing with the law must pay attention to the interests of children and in accordance with the standard values and treatment of a number of national and international instruments that apply to children. All international legal instruments and national legal instruments are intended to guarantee the protection of children's rights. Indonesia already has rules to protect, prosper and fulfill children's rights including Law Number 4 of 1979 concerning Child Welfare, Law Number 23 of 2002 concerning Child Protection as renewed by Law Number 35 of 2014 concerning Amendments to Act Number 23 of 2002 concerning Child Protection and Law Number 17 of 2016 concerning the Stipulation of Government Regulation in Lieu of Law Number 1 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection into law and Law Number 11 of 2012 concerning the Criminal Justice System of Children which is a substitute for Law Number 3 of 1997 concerning Juvenile Justice.

Law Number 12 of 1995 concerning Corrections, Article 1 number 8 letter a, states that: "The Criminal Child is a child who is based on a court decision to serve a criminal in the LASEN of the Child up to the age of 18 (eighteen) years".

Furthermore, in Law Number 11 of 2012 concerning the Child Criminal Justice System, Article 1 number 3 states that: "The child in conflict with the law hereinafter referred to as a child is a child who is 12 (twelve) years old, but not yet 18 (eighteen) years suspected of committing a crime. "

Problems and efforts to protect children seem to never stop being discussed as stated by Arif Gosita. "Child protection is a national development field. Protecting children is protecting humans, is building a whole person. The essence of national development is the full development of Indonesian people. Ignoring the issue of child protection will not strengthen National Development. As a result of the absence of child protection will cause various social problems that can disrupt national order, security and development. So this means that child protection must be endeavored if it is to seek satisfactory national development".

Child protection is a benchmark for the civilization of a nation, it is mandatory to protect children for the benefit of the nation and nation. Child protection activities are a legal action, therefore there is a need for legal guarantees for child protection activities. Legal certainty needs to be endeavored for the continuity of child protection activities and prevent fraud that brings undesirable negative consequences in the implementation of child protection activities.<sup>4</sup>

In carrying out coaching, it must be harmonized with the ideas in the correctional system that are correct ideas of correctionalism that must be continuously developed and developed as the basic pattern of prison management, especially the existence of Special Child Development Institutions or LPKA is individualized treatment.

## B. Problem Formulation.

1. Implement the Individualization of Criminal Concept in the Guiding Pattern of Children in Conflict with the Law in Correctional Institutions.
2. Building an ideal model in the Guidance Pattern for Children in Conflict with the Law in accordance with the Individualization of Criminal Concepts.

## C. Research Methods.

### 1. Type of Research.

Based on the understanding that the Special Guidance Agency for Children or LPKA is an institution that has been institutionalized, this research is carried out in the form of Evaluative research. Evaluative Research, meaning that research is carried out to assess the programs that have been carried out.

Legal research refers to legal concepts as repetitive processes or behaviors whenever the same thing happens, which is called social research or empirical research. Law is not a rule, but as a regularity or regularity of patterned behavior. The method is called the nomological nondoktrinal method. This method is used in social research on legal rules used in empirical legal disciplines such as legal sociology, and legal anthropology.<sup>5</sup>

<sup>3</sup> Arif Gosita, 2004, *Masalah Perlindungan Anak*, P.T. Bhuna Ilmu Populer, Jakarta, hlm. 68.

<sup>4</sup> Arif Gosita, 1993, *Masalah Korban Kejahatan*, Akademika Presindo, Jakarta, hlm. 222.

<sup>5</sup> Soetandyo Wignjosoebroto, *Penelitian Hukum Sebuah Tipologi*, Jurnal Masyarakat Indonesia, Tahun 1 Nomor 2 Tahun 1974, hlm. 89-98.

This legal research is a type of research: non-doctrinal or empirical legal research. Regarding the Individualization of Guiding Children in Conflict with the Law at the Child Special Guidance Institution or LPKA, the author concentrates on conducting research activities in the form of examining aspects of legal application and examining the work of the Child Guidance System in Conflict with Laws in Child Development Institutions or LPKA.

## 2. Data Sources.

The data source used is Primary Data obtained from field research and Secondary Data collected from documentary research. Primary data is obtained directly through field research. Secondary data collected through literature studies in the form of literature, conception, theory, principles, doctrines, documents, and other scientific works related to the problem under study.

## 3. How to get Data.

- a. Literature study using a recording system ;
- b. Direct interview with Respondents ;
- c. Research Analysis ;
- d. Research Location and Respondents :
  - 1) Special Guidance Institutions for Children or Class II LPKA.A Kutoarjo, Central Java Province ;
  - 2) Special Guidance Institutions for Children or Class II.B Wonosari LPKA, Special Province of Yogyakarta.Respondents in this study consisted of :
  - a) Head of the Special Guidance Agency for Children or LPKA ;
  - b) Officers of Special Guidance Institutions for Children or LPKA ;
  - c) Children Conflicting with Law ;
  - d) Head of Correctional Center or Bapas Center ;
  - e) Experts in the field of criminal law.

## D. Theoretical Foundation.

### 1. Child Behavior Theory.

In psychology, human behavior (Human Behavior) is seen as a reaction that can be simple or complex. Certain broad behaviors cannot only be reviewed in relation to human attitudes. The behavioral discussion of motivation theory, in terms of learning theory, and from other perspectives, will give different emphasis. But one thing can always be concluded, namely that human behavior is not simple to understand and predict.

So many internal and external factors from the past, present, and future dimensions that influence human behavior. Besides various important factors such as the nature of the stimulus itself, the background of individual experience, motivation, personality status, and so on. Indeed, individual attitudes play a role in determining what a person's behavior is in his environment. In turn, reciprocal environment will affect attitudes and behavior. The interaction between environmental situations and attitudes, with various factors inside and outside the individual, will form a complex process that ultimately determines the form of one's behavior.<sup>6</sup>

Talking about human behavior is always unique. The meaning is not the same between and inter man, both in terms of intelligence, talent, attitudes, interests, and personality. Humans behave or indulge because of the purpose of achieving a goal or global. With the need or need for a person, motivation or motivator will emerge, so that people or individuals act / behave, new goals are achieved and individuals experience satisfaction.

Howard S. Becker, states that crime often depends on the observer's eyes because members of different groups have different concepts about what is called good and worthy in certain situations.

One of the two processes above can increase the behavior deviation (crime) and form a person's criminal career. Someone who has obtained a stamp or label will automatically be the concern of those around him. Furthermore, the alertness or attention of those around him will influence the person in question so that the second and subsequent crime will likely occur again.

*Schrag, the basic assumption of labeling theory, that is :<sup>7</sup>*

- a. No actions that occur by themselves are criminal;
- b. The formulation or limitation of crime and criminals is forced according to the interests of those who have power;
- c. A person becomes a criminal not because he violates the law, but because he is so determined by the authorities;
- d. In connection with the fact that everyone can do good and not good, it does not mean that they can be grouped into two parts; criminal and non-criminal groups;
- e. Arrest action is the beginning of the labeling process;
- f. Arrest and decision-making in the criminal justice system are functions of the perpetrator or criminal as opposed to the characteristics of the offense;
- g. Age, socio-economic and racial levels are common characteristics of criminals that cause differences in decision making in the criminal justice system;

<sup>6</sup> Azwar, S, 2005, *Sikap Manusia : Teori dan Pengukurannya*, Pustaka Pelajar, Yogyakarta, hlm. 23

<sup>7</sup> Lihat dalam Romli Atmasasmita, 1992, *Teori Dan Kapita Selekt Kriminologi*, Eresco, Bandung, hlm. 38-39.

- h. The criminal justice system is formed based on the perspective of free will which allows judgment and rejection of those who are seen as criminals;
- i. Labeling is a process that will generate identification with the image as deviant and sub-culture and produce "rejection of the rejector".<sup>8</sup>

Two important concepts in labeling theory are: "primary deviance" and "secondary deviance". "Primary deviance" is aimed at the initial behavior deviation, while "secondary deviance" is related to the psychological reorganization of one's experience as a result of arrest and stamp as a criminal. Once this stamp or status is attached to someone, it is very difficult for the person concerned to subsequently break away from the intended stamp and then identify himself with the stamp that the community has given him. If so, the process of behavior deviation according to labeling theory, it can be concluded that deviant behavior, "having been created in society by control agencies representing the interest of dominant groups".<sup>9</sup>

## E. Discussion.

### 1. Implement the Individualization of Criminal Concept in the Guiding Pattern of Children in Conflict with the Law in Correctional Institutions.

#### a. Rights of the Child in conflict with the Law.

Losing independence or freedom of movement is the only suffering for the child in conflict with the Law. The attitude and actions of the children in conflict with this Law also affect the implementation of the rights that have been determined previously. Many of the rights of the child are in conflict with the law that is carried out in compliance with the pre-determined conditions, namely the assessment of attitudes and actions and the behavior of the child in conflict with the law while undergoing coaching periods in addition to other required obligations. These rights include the granting of Remission, Free Approach Leave (CMB), Conditional Exemption (PB) and Family Visiting Leave and other rights especially relating to Assimilation and Integration.

Provision of Assimilation, Conditional Exemption (PB) and Free Before Leave (CMB) must meet substantive and administrative requirements. The substantive requirements that must be met by the child in conflict with the Law, are :

- 1) Has shown awareness and regret for errors that have resulted in criminal sanctions ;
- 2) Has shown the development of positive character and morals ;
- 3) Successfully participate in the coaching activity program diligently and passionately ;
- 4) The community has been able to receive the Child development activity program in conflict with the Law in question ;
- 5) During criminal conduct, the child in conflict with the Law has never received a disciplinary sentence for at least the last 9 (nine) months ;
- 6) The period of criminality that has been carried out :
  - a) Assimilation, the child in conflict with the Law has undergone 1/2 (half) of the criminal period, after deducting the period of detention and remission, calculated from the decision of the court to obtain permanent legal force ;
  - b) Conditional Exemption (PB), a Child in conflict with the Law has undergone 2/3 (two thirds) of his criminal period after being reduced to the period of detention and remission, calculated from the decision of the court to obtain permanent legal force with the provisions of 2/3 (two thirds ) that is not less than 9 (nine) months ;
  - c) Free Approach Leave (CMB), the child in conflict with the Law has undergone 2/3 (two thirds) of his criminal period, after deducting the period of detention and remission, calculated from the court's decision to obtain permanent legal force and leave period equal to remission lastly, no later than 6 (six) months.

Administrative requirements that must be met by the child in conflict with the Law to obtain Assimilation, Conditional Exemption (PB) and Free Approach (CMB), among others; copy of court decision, original statement from the local State Prosecutor's Office that the Child in conflict with the Law concerned does not have a case or is involved with another crime, social research report (Litmas), and other certificates relating to the formation of the Child in conflict with the Law during at the Special Child Development Institution (LPKA).

All rights of the child in conflict with the Law will be taken care of by the Child in conflict with the Law in question together with the direction of the "Guardian of the Prisoner" and the files will be processed from the verification stage, coordination up to the submission stage of the file in the Child Registration Section in conflict with the Law. By the Child Registration Section in conflict with the Law and the Guardian of the Inmate will be coordinated with the Correctional Observers Team or TPP and the Head of the Special Child Development Institution (LPKA) or Kalapas, after completing and fulfilling the requirements, the file will be submitted to the Regional Office of the Regional Office of the Ministry of Law and Human Rights. After being verified again and reviewed at the Special Child Development Institution (LPKA), the determination of the rights of the Children in conflict with the Law will be issued, with the results can be given or can be rejected for certain reasons.

<sup>8</sup> Romli Atmasasmita, *Ibid.*, hlm. 39-40.

<sup>9</sup> Romli Atmasasmita, *Ibid.*, hlm. 40-41.

In addition to General Remissions and Special Remissions, Children who are in conflict with the Law are also entitled to "Additional Remissions" if the Child in conflict with the Law acts for the state, commits actions that are beneficial to the state or humanity or acts that help development activities at the Child Special Development Institution (LPKA).

**b. Child Protection in the Criminal Law Field.**

Child protection in criminal law is regulated in articles 45, 46 and 47 of the Criminal Code (has been revoked by the enactment of Law Number 3 of 1997 concerning Juvenile Justice). Then, there are also several articles that are directly or indirectly related to child protection, namely among others Article 278, Article 283, Article 287, Article 290, Article 297, Article 301, Article 305, Article 308, Article 341 and Article 356 of the Criminal Code .

Furthermore, in Law Number 23 of 2002 concerning Child Protection which principally regulates the protection of children's rights. In Law Number 4 of 1979 concerning Child Welfare, in principle it is regulated regarding efforts to achieve child welfare. In Law Number 3 of 1997 concerning Juvenile Justice, which in principle regulates the protection of children as perpetrators of criminal acts in the context of juvenile justice. And the last is through Law Number 11 of 2012 concerning the Juvenile Justice System (SPA Law), which is a legal reform form of the conception of child protection, wherein diversion institutions have been introduced in the process of examining child cases.

**2. Building an ideal model in the Guidance Pattern for Children in Conflict with the Law in accordance with the Individualization of Criminal Concepts.**

**a. Position of the Special Child Development Institution or LPKA in the Convict Guidance System in Indonesia.**

Advanced Phase Development is divided into 2 (two) stages, namely :

- 1) The first continuation stage, from the end of the initial training phase up to ½ (half) of the criminal period; and
- 2) Second follow-up stage, from the end of the first stage of development up to 2/3 (two thirds) of the criminal period.

Early Development Guidance, practically normally only undertaken by the child in conflict with the law in question for 1 (one) to 2 (two) months, then the child in conflict with the law will undergo a real coaching and resocialization period, namely at the Advanced Coaching Stage. The advanced coaching stage is the span of time in which the child in conflict with the Law will undergo a sentence according to the criminal sanction that has been imposed on him. In this stage the child in conflict with the Law if he behaves well will get many of the rights of the Child in conflict with the Law from general remission and special remission until the end of the sentence will get parole or leave before free.

In the advanced stage, guidance is made based on the results of the previous stage. At this stage, the child in conflict with the law is directed to coaching in the form of education, job training and other coaching in the field of mental development, personality, and skills, as well as coaching that is an effort to return to the community. At this stage, there has been a moving allowance for children who are in conflict with the Law in the Special Child Development Institution (LPKA) in undergoing coaching. After this stage is lived up to ½ (half) of the criminal period, the formation of the Children in conflict with the Law begins to be directed towards the assimilation process and the initial integration stage with the outside community with minimum supervision. This is carried out by providing opportunities for children in conflict with the Law to worship and exercise with other communities, working for private institutions, working with the community, leave (leave to visit family), and other activities involving the community (community treatment ) This coaching is carried out as an exercise for the child in conflict with the Law to adapt to the real life environment of the community. The role of the community is needed in the process of coaching the Children in conflict with the Law to be able to return to the community.

The final training phase is then given to the child in conflict with the Law after undergoing 2/3 (two thirds) of his criminal period and has shown improvement in both his mentality, personality, independence and spirituality. At this stage the development of the Children in conflict with the Law can be carried out outside of the Special Child Development Institution (LPKA), which is coaching carried out by the Correctional Institution or Bapas which is carried out by giving Free Approach or CMB and Conditional Exemption or PB. But in certain cases this final stage of development can be carried out at the Special Child Development Institution (LPKA) with pre-determined considerations.

**b. Restorative Justice for Children in Conflict with Law.**

Restorative justice in its aim is to restore the condition of the community to be better by involving all elements involved in it. According to Howard Zehr, it is seen from the perspective of restorative justice that criminal acts are a violation of humans and relations between humans. Criminal acts create an obligation to make things better by involving victims, perpetrators and society in finding solutions to improve, reconcile, and reassure the heart.

Based on this, the concept used for the handling of children in conflict with the law can be carried out using an approach that purely promotes the welfare of children and approaches to legal intervention. So the restorative punishment model or what is called restorative justice is now more appropriate to be applied in dealing with child offenders.

Restorative justice is a process that involves all parties involved in a particular crime together and solving the problems of how to deal with the consequences in the future. Restorative Justice is based on the principle of due process, which is exploration and comparison between the welfare approach and the justice approach, which highly respects the legal rights of suspects and is very concerned about the interests of victims. The goal of the Restorative trial is to expect a reduction the number of children who were arrested, detained and sentenced to prison and abolished stigma on the child and returned the child to a normal human being so that it could be useful in the future. The restorative justice process is a justice process that is fully carried out and achieved by the community. The correct process is intended to prevent the return of criminal acts. This makes justice as something full of consideration in responding to crime and avoiding stigmatization.<sup>10</sup>

The diversion program can be a form of restorative justice if :<sup>11</sup>

- 1) Encourage children to be responsible for their actions.
- 2) Provide opportunities for children to replace mistakes made by doing good for the victim.
- 3) Providing opportunities for the victim to participate in the process.
- 4) Providing opportunities for children to be able to maintain relationships with family.
- 5) Providing opportunities for reconciliation and healing in communities that are harmed by criminal acts.

#### F. Conclusion.

The success of coaching methods for children in conflict with the law requires the participation of parties who are emotionally close to the child. The purpose of the party who is close to the child is the role of parents, other families or officers of the Special Child Development Institution (LPKA) as the guardian of the child concerned. This meaning implies that the fact that occurred at the Kutoarjo Child-Special Development Institute (LPKA) occurred in a situation where the emotional connection between the child concerned and those close to him broke down. This happens because it no longer has parents or indeed there is a omission on the condition of the child in question at the Kutoarjo Child Special Development Agency (LPKA).

Another ideal form that should be implemented is a coaching program intended for individual students to actually be carried out for students on an individual basis. At the Special Child Development Institution (LPKA) there is no individual training carried out seriously by considering the characteristics of the child and the crimes committed by the child. The condition that occurs is that students are fostered in groups to get guidance that should be given to students on an individual basis. The coaching method is still the same as the formation of Correctional Patronage in adult correctional institutions in general.

#### DAFTAR PUSTAKA

##### Buku Literatur

- Djisman Samosir, 1992, *Fungsi Pidana Penjara Dalam Sistem Pemidanaan Di Indonesia*, Bina Cipta, Bandung.
- Dwidja Priyatno, 2006, *Sistem Pelaksanaan Pidana Penjara Di Indonesia*, Refika Aditama, Bandung.
- Harkristuti Harkrisnowo, 2002, *Tantangan dan Agenda Hak-Hak Anak*, Newsletter Komisi Hukum Nasional, Edisi Februari, Jakarta.
- Hadi Supeno, 2010, *Kriminalisasi Anak Tawaran Gagasan Radikal Anak Tanpa Pemidanaan*, PT Gramedia Pustaka Utama, Jakarta.
- Maidin Gultom, 2012, *Perlindungan Hukum terhadap Anak dan Perempuan*, Refika Aditama, Bandung.
- Maulana Hassan Wadong, 2000, *Pengantar Advokasi dan Hukum Perlindungan Anak*, PT. Gramedia Widiasarana Indonesia, Jakarta.
- Moh. Joni dan Zulchaini Z. Tanamas, 1999, *Aspek Hukum Perlindungan Anak*, P.T. Citra Aditya Bakti, Bandung.
- M.Sholehuddin, 2003, *Sistem Sanksi Dalam Hukum Pidana : Ide Double Track System Implementasinya*, Rajawali Press, Jakarta.
- Sarlito Wirawan Sarwono, 2003, *Psikologi Remaja (Edisi Revisi)*, PT.Raja Grafindo Persada, Jakarta.

<sup>10</sup> Adrianus Meliala, Mamik Sri Supatnu, Santi Kusumaningrum, Kismi Widagso, Fikri Somyadewi, *Restorative Justice System : Sistem Pembinaan Para Narapidana Untuk Pencegahan Resedivisme*.

<sup>11</sup> Ruben Achmad, 2005, *Upaya Penyelesaian Masalah Anak Yang Berkonflik Dengan Hukum Di Kota Palembang*, Simbur Cahaya No. 27 Tahun X Januari 2005, hlm. 5-6.

- Setiono, 2010, *Pemahaman Terhadap Metodologi Penelitian Hukum*, Program Studi Ilmu Hukum Pascasarjana Universitas Sebelas Maret Surakarta.
- Soerjono Soekanto dan Sri Mamudji, 2006, *Penelitian Hukum Normatif (suatu Tinjauan Singkat)*, P.T. Radja Grafindo Persada, Jakarta.
- Wagiati Soetodjo, *Hukum Pidana Anak*, PT. Refika Aditama, Bandung.
- Yuliyanto, dan Yul Ernis (Tim Pen.), 2016, *Lembaga Pembinaan Khusus Anak Dalam Perspektif Sistem Peradilan Pidana Anak*, Badan Penelitian Dan Pengembangan Hukum Dan Hak Asasi Manusia Kementerian Hukum Dan Hak Asasi Manusia RI, Peretakan Pohon Cahaya, Jakarta.
- Peraturan Perundang-Undangan.
- Undang-Undang Republik Indonesia Nomor 11 Tahun 2012 Tentang Sistem Peradilan Pidana Anak. Lembaran Negara Republik Indonesia Tahun 2012 Nomor 153.
- Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, Lembaran Negara Republik Indonesia Tahun 2002 Nomor 109.
- Undang-Undang Republik Indonesia Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia. Lembaran Negara Republik Indonesia Tahun 1999 Nomor 165.
- Undang-Undang Nomor 3 Tahun 1997 tentang Pengadilan Anak, Lembaran Negara Republik Indonesia Tahun 1997 Nomor 3.
- Undang-Undang Republik Indonesia Nomor 12 Tahun 1995 Tentang Pemasarakatan. Lembaran Negara Republik Indonesia Tahun 1995 Nomor 77.
- Undang-Undang Republik Indonesia Nomor 8 Tahun 1981 Tentang Kitab Undang-Undang Hukum Acara Pidana (KUHP). Lembaran Negara Republik Indonesia Tahun 1981 Nomor 76.
- Undang-Undang Republik Indonesia Nomor 1 Tahun 1946 Tentang Kitab Undang-Undang Hukum Pidana (KUHP). Lembaran Negara Republik Indonesia Tahun 1976 Nomor 26.
- Peraturan Pemerintah Republik Indonesia Nomor 31 Tahun 1999 Tentang Pembinaan dan Pembimbingan Warga Binaan Pemasarakatan.