



**Analysis of the Judges Considerations regarding Restorative Justice to
Children in Conflict with the Law in the Cikarang District Court Decision
Number 33/Pid.Sus-Anak/2023/PN.Ckr**

UNDERGRADUATE THESIS
Submitted as one of the requirements to obtain
Sarjana Hukum

By:
Adelista Firda Destyaningsih
017202200075

FACULTY OF LAW
LAW STUDY PROGRAM
CIKARANG
SEPTEMBER, 2025



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ABSTRACT

This study examines judges considerations sentencing child in conflict with the law in Court Decision Number 33/Pid.Sus-Anak/2023/PN.Ckr. Objective to assess extent to which these considerations align with Law Number 48 of 2009 concerning Judicial Power and principles restorative justice in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The method used normative juridical with case study approach, through analysis laws, doctrines, and trial facts. The results show judge considered legal evidence, age, child psychological condition, and the recommendations of the Correctional Center. Although the elements of the crime were proven, the judge balanced legal certainty and protection children rights by imposing a 4-year sentence in a Special Child Development Institution (LPKA). This decision reflects the application principle restorative justice, which prioritizes development and social reintegration children, while interests victims and sense security community taken into account. Conclusion this study confirms that the decision accordance with principles child protection and restorative justice. It is recommended guidelines for judges be strengthened and integrated support, such as psychological counseling and rehabilitation facilities, be provided to maximize the developmental goals of the juvenile criminal justice system.

Keywords: Judicial considerations, children in conflict with the law, restorative justice, juvenile criminal justice.

ABSTRAK

Penelitian ini membahas pertimbangan hakim dalam memberikan hukuman terhadap perkara anak yang berkonflik dengan hukum pada Putusan Pengadilan Negeri Cikarang Nomor 33/Pid.Sus-Anak/2023/PN.Ckr. Tujuannya adalah menilai sejauh mana pertimbangan tersebut dengan Undang-Undang Nomor 48 Tahun 2009 tentang Kekuasaan Kehakiman dan prinsip keadilan restoratif sebagaimana diatur dalam Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak. Metode yang digunakan adalah yuridis normatif dengan pendekatan studi kasus, melalui analisis undang-undang, doktrin, dan fakta persidangan. Hasil penelitian menunjukkan bahwa hakim mempertimbangkan bukti hukum, usia, kondisi psikologis anak, serta rekomendasi Balai Pemasyarakatan. Meskipun unsur tindak pidana terbukti, hakim menyeimbangkan antara kepastian hukum dan perlindungan hak anak dengan menjatuhkan pidana 4 tahun di Lembaga Pembinaan Khusus Anak (LPKA). Putusan ini mencerminkan penerapan prinsip keadilan restoratif, yaitu mengutamakan pembinaan dan reintegrasi sosial anak, namun kepentingan korban dan rasa aman masyarakat tetap diperhatikan. Kesimpulan dari penelitian ini menegaskan bahwa putusan tersebut telah sesuai dengan prinsip perlindungan anak dan keadilan restoratif. Disarankan adanya penguatan pedoman bagi hakim serta penyediaan dukungan terpadu, seperti pendampingan psikologis dan fasilitas rehabilitasi, guna memaksimalkan tujuan pembinaan dalam sistem peradilan pidana anak.

Kata kunci: Pertimbangan hakim, anak berkonflik dengan hukum, keadilan restoratif, peradilan pidana anak.

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