



## The Application of Trial as an Adult Concept in Indonesia: Justice for Victims in Juvenile Murder Cases

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**Abstract:** The increasing incidence of serious crimes committed by juveniles, particularly murder, raises concerns about the adequacy of Indonesia's juvenile justice system, which emphasizes rehabilitation over retribution. In contrast, the United States applies the "trial as an adult" concept, allowing juveniles to be tried in adult courts under specific conditions. This study employs a normative legal method using statute and comparative approaches to examine the potential application of this concept in Indonesia. It compares Indonesia's child protection-oriented framework with the U.S. waiver of jurisdiction mechanism. The findings reveal a legal gap in Indonesia's system for handling grave offenses by juveniles, which often fails to provide substantive justice for victims. Therefore, the study proposes a hybrid judicial model that balances child protection with victim justice by introducing a dual-track court system and proportional sentencing tailored to juvenile maturity and offense severity.

**Keyword:** Trial as an Adult, Child Offenders, Victim Justice.

### INTRODUCTION

Children represent the hope of the nation's future of the state, society, and family. Considering their status as individuals still in the growth phase, it is crucial to provide them with special attention and treatment so their physical and mental development can proceed optimally (Nur et al., 2020). According to the Convention on the Rights of the Child adopted by the United Nations, children have the right to be protected, nurtured, and empowered within a safe and supportive environment (Office of the United Nations High Commissioner for Human Rights, 1989). However, reality shows that many children become entangled in legal problems, both as perpetrators and victims, which demands serious attention from society and the government.

Globalization has spurred progress in various fields (Setyawati et al., 2021). Nevertheless, it has also brought about new challenges in the legal system, particularly concerning serious crimes committed by children, including murder. Such crimes have become

increasingly complex, especially when involving children's rights that require protection, while also demanding justice for victims and their families.

Indonesia has ratified the Convention on the Rights of the Child through Presidential Decree No. 36 of 1990, followed by the enactment of Law No. 3 of 1997 on Juvenile Court, which was later revised into Law No. 11 of 2012 on the Juvenile Justice System. This regulation modernized juvenile criminal procedure law by adopting the principle of imprisonment as a last resort, prioritizing alternatives such as returning the child to their parents or placing them in social care facilities (Nur et al., 2021). The Indonesian state also guarantees children's rights as affirmed in Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which states: "Every child has the right to live, grow and develop, and the right to protection from violence and discrimination." Furthermore, Article 28D paragraph (1) states: "Every person shall have the right to recognition, guarantees, protection, and certainty before the law and equal treatment before the law." Based on these provisions, the state is obligated to provide legal protection in the justice system, including for juvenile offenders. (Nur & Bakhtiar, 2021).

In the context of juvenile criminal law, serious crimes such as murder have sparked debate over the application of the "trial as an adult" concept. Trial as an adult refers to a system where juveniles involved in serious criminal offenses may be tried in adult courts under specific conditions (Griffin, 2022). In Indonesia, juvenile justice is governed by Law No. 11 of 2012, which provides special protection to juvenile offenders. However, this concept has not yet been explicitly regulated in Indonesia's legal system.

According to the Indonesian Child Protection Commission (KPAI), juvenile crime continues to increase, with 1,800 cases in 2023, including 33 cases of Children in Conflict with the Law (ABH) (KPAI, 2023). From 2020–2022, there were 2,302 cases, dominated by theft (838), drug offenses (341), and assault (232). Other serious offenses included murder (48 cases) and sexual violence (199) (Ayuningtyas, 2023). Among these, murder committed by children draws particular attention due to its grave impact on victims, perpetrators, and society. The Indonesian juvenile justice system is often perceived as insufficient in meeting justice demands, particularly in cases involving serious violence.

Under Law No. 11 of 2012, the primary approach to handling juvenile offenders is rehabilitation. However, this leads to a dilemma especially in murder cases where victims and their families often feel that the punishments are not proportional to the harm inflicted. On the other hand, Article 28G paragraph (1) of the 1945 Constitution guarantees the protection of dignity and a sense of security for every individual, including victims of crimes. This raises the question of how the legal system can balance the protection of the juvenile offender's rights with the justice that victims are entitled to.

In Internasional Law, the concept of trial as an adult has been applied in several countries, such as the United States, to address murder cases involving juvenile offenders. Since the 1970s, there have been efforts in the U.S. to abolish juvenile courts on the grounds that trying juveniles in adult courts better protects society and offers restorative justice to victims (Bazemore, 1999). The application of this concept is based on serious considerations of the offense's severity, its impact on victims, and the need to maintain social order (Schiraldi et al., 2024). For example, in the case of *Miller v. Alabama* (2012), the U.S. Supreme Court considered both substantive justice for the victim and rehabilitation opportunities for the juvenile offender (U.S. Supreme Court, 2012).

Compared to Indonesia, where the juvenile justice system emphasizes rehabilitating young offenders and guiding them back to the right path (Iftitah et al., 2023), this approach is sometimes viewed as falling short in delivering justice to victims. Serious crimes such as murder by juveniles affect not only the immediate victims but also society at large. Therefore, an in-depth study is needed to evaluate whether the trial as an adult concept could provide a fair solution within the Indonesian juvenile justice system while still safeguarding children's rights and ensuring justice for victims.

As an example, a case of rape and murder of a junior high school student, AA (13 years old), occurred in Palembang on September 1, 2024, involving four juvenile offenders: IS (16), MZ (13), NZ (12), and AS (12). IS, considered the mastermind, was initially sought the death penalty by the public prosecutor. However, the court sentenced him to 10 years in prison with one year of vocational training at the Palembang Social Office. Meanwhile, MZ, NZ, and AS were each sentenced to one year of rehabilitation at the Indralaya Social Welfare Institution (LPKS) (Tanjung, 2024). The victim's family considered the verdict too lenient, given the tragic impact of the crime.

This uncertainty underscores the need to examine the application of the trial as an adult concept in Indonesia, weighing its implications for juvenile offenders as well as the justice due to victims and their families. The concept must be integrated into the juvenile justice system without disregarding the legal protections afforded to children under national and international law. Victims of serious crimes such as murder are defined as those who suffer physical, mental, or economic harm, in accordance with Law No. 31 of 2014 on the Protection of Witnesses and Victims.

Therefore, this research will explore the application of the trial as an adult concept in juvenile murder cases in Indonesia. The study will consider both the protection of juvenile offenders' rights and the justice that victims and their families deserve. This analysis is presented in a paper titled "The Application of Trial as an Adult Concept in Indonesia: Justice for Victims in Juvenile Murder Cases."

## METHOD

This research is a normative legal study using a statute approach, which involves analyzing existing statutory regulations as applied to specific legal issues (Soejono & Abdurrahman, 2003). In addition, a comparative approach is also applied in this research. This normative-juridical study examines the law as a set of norms, principles, doctrines, and legal theories to address the legal issues being studied, particularly concerning the application of the trial as an adult concept for juvenile murder offenders in Indonesia and the United States.

The legal materials used in this research include primary legal sources (laws and regulations), secondary legal sources (research findings, textbooks, scholarly journals), and tertiary legal sources (encyclopedias, legal dictionaries, internet sources). Data collection techniques were carried out through library research by reading and examining relevant legal materials. The data analysis technique used is prescriptive analysis, which involves evaluating laws or legal practices to determine what is right or wrong or what ought to be, and suggesting improvements or actions to achieve the desired legal objectives (Butarbutar, 2018).

## RESULTS AND DISCUSSION

### **Legal Regulation of Trial as an Adult for Children as Perpetrators of Murder in the Juvenile Criminal Justice System in Indonesia.**

Legal maturity refers to whether or not a person has reached the legal age of adulthood, which determines their capacity to perform legal acts. Adult status that meets the provisions of this legislation is known as "maturity" (Cahyaningsih et al., 2020). Maturity in law is a fundamental prerequisite for an individual to be deemed legally competent (legal capacity) to undertake legal actions such as entering into contracts, getting married, and making a will. However, in the context of criminal law, a person's maturity is not only determined by age, but also by their ability to understand the consequences of their actions, especially when a child is involved in a criminal act or is in conflict with the law.

The juvenile criminal justice system in Indonesia aims to provide maximum protection for children in conflict with the law. Children are regarded as individuals in a stage of growth and development who still require guidance, rather than merely being the object of punishment. This is reflected in Law No. 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA),

which emphasizes restorative justice as the main principle in resolving juvenile cases. Nonetheless, serious offenses such as murder committed by children spark debate, particularly about whether this system can truly fulfill justice for victims and society. The concept of trial as an adult, which is applied in the United States, has become a reference point to question whether the current Indonesian mechanism is sufficiently fair for victims of serious crimes committed by children.

Within the national legal framework, the SPPA Law provides several core principles in handling juvenile criminal cases. First, the protection of children's rights is an absolute priority, with a focus on rehabilitation and social reintegration rather than punishment. Second, cases are encouraged to be resolved through diversion, which is the redirection of a case from formal criminal proceedings. However, one obstacle faced by prosecutors in implementing diversion is the lack of agreement from victims or their families, who often reject resolution through restorative justice whether via reconciliation or compensation. Yet, diversion requires the victim's consent in order to proceed (Mukaaffah et al., 2022). If there is disagreement, the diversion fails and the case will proceed to the juvenile court. In juvenile courts, judges who handle and decide on child cases are called Juvenile Judges (Bakhtiar, 2015). They play a strategic role in ensuring the fulfillment of restorative justice principles and protection of children's rights, both during trial and sentencing, which should be focused on rehabilitation and education.

Diversion aims to achieve justice and uphold the law properly by minimizing punitive approaches (Marlina, 2018). However, for crimes punishable by more than seven years of imprisonment such as murder Article 7 paragraph (2) of the SPPA Law expressly excludes the possibility of diversion. This means that children who commit murder must undergo formal criminal proceedings under juvenile criminal procedure law. Although Article 7 paragraph (2) excludes diversion for serious crimes, it does not provide a further mechanism such as a special forum or channel to differentiate between minor and major cases in terms of sentencing and legal treatment. This reveals a structural gap in regulation that can result in a mismatch between the moral weight of the offense and the legal response used. Indonesia also enforces a legal restriction that prohibits children from being sentenced to more than ten years in prison, especially in the case of serious crimes, which creates additional complexity in law enforcement for juvenile offenders (Pradityo, 2016).

When it comes to sentencing, children proven guilty of murder still receive different legal treatment from adults. Article 81 of the SPPA Law states that the maximum sentence for children is only half of that imposed on adults. For example, if murder under Article 338 of the Criminal Code (KUHP) carries a 15-year sentence, a child can only be sentenced to a maximum of 7.5 years. If the murder is premeditated (Article 340), the child can be sentenced to a maximum of 10 years. In addition, the purpose of sentencing is to educate and rehabilitate the child, not merely to imprison. This underscores Indonesia's legal commitment to child protection while differentiating its approach from that applied to adult offenders.

The concept of trial as an adult commonly practiced in some U.S. states is not recognized in Indonesian law. In this concept, a child is understood to be subject to the same legal rules and penalties as adults when tried, and if convicted, receives similar long-term sentences typically imposed on adult offenders (Markovitz, 2012). This approach is based on the belief that children lack the emotional, psychological, and social maturity of adults, and therefore should not be held to the same level of legal accountability. The child protection approach aligns with various international instruments such as the Convention on the Rights of the Child.

However, a purely protectionist approach creates challenges when dealing with serious offenses. In murder cases involving children who act with intention and premeditation, questions arise regarding whether such protective principles are appropriate and fair to the victim. The discrepancy between the seriousness of the crime and the legal response can affect public perception and undermine the fulfillment of justice for victims and their families.

The non-application of the trial as an adult concept in Indonesia significantly impacts justice for victims. Many victim families feel that sentences handed down to juvenile offenders are not commensurate with their suffering and loss. Maximum sentences of 10 years or even lighter penalties due to remission are seen as failing to deliver substantive justice. As a result, public frustration with the justice system may increase, potentially eroding trust in the legal system. Moreover, the absence of an explicit mechanism to assess whether a child should be tried as an adult for severe crimes is a gap that the Indonesian legal system has yet to address.

Within this context, two perspectives emerge. On one side, the adoption of the trial as an adult concept is deemed necessary to ensure justice for victims and society, by recognizing that serious crimes should not be equated with minor offenses. By applying the same protective approach to all juvenile offenders, regardless of the seriousness of the crime, the legal system loses flexibility and risks violating the principle of proportionality in sentencing.

On the other side, adopting this concept is seen as potentially violating children's rights recognized internationally. Trying children in adult courts is viewed by some as unconstitutional, immoral, and inappropriate, ignoring the potential for rehabilitation (Graber, 2019). Therefore, any discourse on applying this concept must balance the protection of children's rights with justice for victims.

In Indonesia's legal system, children who commit murder continue to be processed under the juvenile justice framework with a focus on protection and rehabilitation. The concept of trial as an adult has not been implemented, and child protection remains the primary concern. However, in cases of severe and intentional murder, it is worth considering the establishment of a special mechanism to maintain the balance between the rights of child offenders and justice for victims. Legal reform based on empirical research is essential to address this issue in a fair and sustainable manner.

### **Comparative Legal Analysis of the Application of the Trial as an Adult Concept in Indonesia and the United States in Pursuit of Victim Justice.**

The juvenile criminal justice systems in Indonesia and the United States exhibit fundamental differences in how they perceive and handle minors who commit serious crimes, particularly murder. These differences are reflected not only in the legal principles applied but also in the approaches to the purpose of justice, legal protection for children, and the scope of justice provided to victims. Within this context, comparing the implementation of the trial as an adult concept in both countries is essential to evaluate how each legal system balances the protection of juvenile offenders with the justice due to victims.

In Indonesia, the legal approach to juvenile offenders is primarily governed by Law No. 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA). This law emphasizes restorative justice and child protection, based on the assumption that children are still in the developmental stage and deserve the opportunity to reform (Bachmid, 2025). Therefore, all legal proceedings involving minors are directed toward rehabilitation and guidance rather than punishment. However, this approach has sparked debate, especially when juveniles commit serious crimes like murder, which have a profound impact on victims and their families.

In contrast, the U.S. legal system allows juveniles to be tried as adults in certain cases through a mechanism known as waiver of jurisdiction or transfer. One such legal provision can be found in the Texas Family Code Section 54.02, which states that a judge may "waive jurisdiction of the juvenile court and transfer the case to the appropriate district court" if the child is at least 14 years old and is alleged to have committed a felony offense. According to Texas Family Code § 54.02(f), before a transfer can be approved, the court must consider several explicit factors, including:

"The seriousness of the offense alleged and whether the protection of the community requires waiver of jurisdiction; whether the offense was committed in an aggressive and premeditated manner; the maturity of the child; the record and previous history of the child;

and the prospects of adequate protection of the public and the likelihood of rehabilitation of the child...” (Texas Family Code § 54.02(f))”

This provision provides a detailed guideline for judges before granting a transfer. Considerations include whether the offense was committed violently or aggressively, the strength of the evidence supporting the charges, the juvenile’s criminal history, and whether juvenile rehabilitation facilities are still appropriate. In other words, this system creates a clear distinction between how juvenile offenders of minor and serious crimes are treated, with a focus on public safety and justice for victims.

The trial as an adult concept, as applied in Texas law, permits a more retributive approach in cases involving juvenile-perpetrated murder. Meanwhile, Indonesia has no equivalent mechanism. Regardless of the severity of the crime, including premeditated murder, a juvenile in Indonesia will still be processed within the juvenile justice system and subject to reduced sentences, as mandated by Article 81 of the SPPA Law. Although this approach protects the rights of children, it creates inequality when faced with the demands for justice by victims and society.

This comparison reveals that the U.S. legal system, such as in Texas, provides greater flexibility to evaluate each case and offender's circumstances such as whether the child is sufficiently mature and morally accountable to be processed like an adult. In contrast, Indonesia applies a more rigid system that treats all juvenile offenders under the same protective framework. The lack of differentiation in Indonesia’s legal system potentially overlooks an essential element of justice namely, proportionality of punishment and recognition of the victim’s suffering.

For instance, if a minor commits murder and robbery in the state of Texas, U.S., the juvenile justice system permits them to be tried as an adult through the “trial as an adult” mechanism under Texas Family Code § 54.02. If the judge approves the transfer, the child will be fully processed in the adult criminal system, including being charged with serious offenses such as capital murder under Texas Penal Code § 19.01. As such, they may face harsh penalties, including life imprisonment without parole. However, as per the U.S. Supreme Court ruling in *Roper v. Simmons* (2005), minors under 18 cannot be sentenced to death even if tried as adults (U.S Supreme Court, 2005).

Conversely, in Indonesia, a child who commits murder and robbery will still be processed under the Juvenile Criminal Justice System as outlined in the SPPA Law. As both crimes carry sentences of more than seven years, diversion is not allowed under Article 7(2), and the case must proceed through formal court processes. Nonetheless, children still cannot receive the same punishment as adults; Article 81 of the SPPA Law limits juvenile penalties to half the adult sentence. If the child is charged under Article 365(3) of the Indonesian Penal Code (KUHP), which carries a 15-year sentence, the maximum sentence for the child is 7.5 years. For premeditated murder under Article 340, which carries life imprisonment or the death penalty, the child can only be sentenced to a maximum of 10 years.

To bridge the gap between child protection and victim justice, an alternative approach known as the hybrid system is a compromise solution worth considering. The hybrid model is a tiered justice system that allows certain juveniles who meet specific criteria to be partially processed through the juvenile system and partially through the adult system with adjusted sentencing and safeguards for children’s rights.

Children eligible for hybrid processing must meet carefully defined and objective criteria. Not all juvenile offenders of serious crimes automatically qualify. First, the type and severity of the offense are critical, hybrid scheme should apply only to premeditated murder or acts of extreme violence. Second, the age of the offender matters; for example, juveniles aged 16–18 who exhibit high levels of moral awareness and maturity. Third, moral capacity and legal awareness can be assessed through psychological evaluation. Fourth, a criminal record also

plays a role; a juvenile with a history of serious offenses and previous rehabilitation failure may be considered for hybrid processing.

Technically, the hybrid system can be implemented through a dual-track court system. All cases would begin in juvenile court, where prosecutors and judges conduct a thorough assessment of the child's condition, assisted by psychologists, social workers, and child protection agencies. If the assessment indicates the child should be processed as an adult, the case may be transferred to the general court with specific conditions. This transfer is not absolute and the sentencing should still be adjusted from adult criminal code with certain reductions in line with child protection standards. Imposing adult penalties without reductions would violate human rights. Children must not be sentenced to more than 20 years, life imprisonment, or death.

In the hybrid model, sentence adjustments are central. Penalties imposed should fall between the typical juvenile and adult sentences. For instance, a child convicted of murder may be sentenced to 10–15 years in prison, with a provision that upon reaching 21 years old, they may be transferred to an adult correctional facility if their sentence is not yet completed. Furthermore, after serving their sentence, the offender must undergo intensive rehabilitation programs. The hybrid model also includes periodic review of the sentence, allowing reductions or transfer to social rehabilitation if significant behavioral change is observed.

The implementation of the hybrid system must also involve correctional institutions. It is essential to separate minors from adult inmates during detention, especially when the juvenile must serve time beyond age 18. Periodic evaluations every 3–5 years should assess rehabilitation progress. In addition, this model allows for early conditional release (parole) under strict terms, provided the offender has shown behavioral improvement and is willing to undergo reintegration programs (Miller, 2012).

Protection of children's rights remains integral to the hybrid system. Throughout the legal process, children must be accompanied by legal counsel and psychosocial support personnel. The death penalty and life imprisonment without parole must not be imposed on children, in accordance with international principles and Indonesia's ratification of the Convention on the Rights of the Child through Presidential Decree No. 36 of 1990 (Haling et al., 2018). Additionally, after release, children should remain under social supervision to prevent recidivism and facilitate reintegration into society.

In terms of victim justice, the hybrid system offers a more proportional balance. It shows that the state does not ignore serious criminal acts even if committed by children while still ensuring rehabilitation. For victims and their families, this model sends a clear message that the offender will face consequences commensurate with the severity of their crimes.

Considering the legal comparison between Indonesia and the United States, as well as the complexity of juvenile serious crimes and current social dynamics, the hybrid technique can serve as a balanced compromise between protective and retributive approaches. It offers a fair middle ground for all parties, offenders, victims, and society in achieving the ultimate goal of criminal justice: humane, balanced, and responsible justice.

## CONCLUSION

The juvenile criminal justice system in Indonesia does not yet recognize the concept of trial as an adult, as applied in countries like the United States. Through Law No. 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA), Indonesia emphasizes restorative justice and child protection, aiming more toward guidance and rehabilitation rather than punishment.

While this system aligns with international instruments such as the Convention on the Rights of the Child, it faces both normative and sociological dilemmas when confronted with serious crimes like murder committed by children. In such situations, the limitations on

maximum sentencing and the absence of a specific mechanism for dealing with juveniles who commit grave offenses create an imbalance in achieving substantive justice for victims.

The comparison between the legal systems of Indonesia and the United States reveals significant differences in handling juvenile perpetrators of serious crimes like murder. While Indonesia maintains a restorative and protective approach through the juvenile justice system, the U.S. via mechanisms like waiver of jurisdiction allows for a more flexible and retributive response, prioritizing justice for victims.

This disparity highlights the limitations of Indonesia's current system in addressing the severity of juvenile offenses. As a balanced solution, adopting a hybrid model could offer both protection for juvenile rights and proportional justice for victims. Such a system would allow case-by-case assessment and adjusted sentencing without disregarding international child protection standards. Implementing this model would enhance the responsiveness and fairness of Indonesia's legal framework when dealing with serious crimes committed by minors.

## REFERENCE

- Ayuningtyas, A. D. (2023). KPAI catat 33 kasus pelanggaran hukum libatkan anak di bawah umur. <https://goodstats.id/article/kpai-catat-33-kasus-pelanggaran-hukum-libatkan-anak-di-bawah-umur-qgSMA>.
- Bachmid, A. A. (2025). Perlindungan Anak Dalam Sistem Peradilan Pidana Anak: Kebijakan dan Pelaksanaannya di Indonesia. *Iuris Studia: Jurnal Kajian Hukum* 6(1), 104-113.
- Bakhtiar, H. S. (2015). Penerapan sanksi pidana dan tindakan terhadap anak menurut UU No. 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak. (Skripsi, Universitas Muslim Indonesia).
- Bazemore, G. (1999). Crime victims, restorative justice and the juvenile court: Exploring victim needs and involvement in the response to youth crime. *International Review of Victimology*, 6(4), 295–320.
- Butarbutar, E. N. (2018). Metode penelitian hukum. Bandung: Refika Aditama.
- Cahyaningsih, D. T., Sulistiyono, A., & Purwadi, H. (2020). Problem of the adult age in the implementation of the Indonesia statutory regulations. *PalArch's Journal of Archaeology of Egypt/Egyptology*, 17(3), 437–446.
- Graber, R. L. (2019). Is it acceptable for juveniles to be tried as adults? (Criminal Justice Capstone Research Paper). Cedarville University, 1-20.
- Griffin, F. (2022). When can a child be charged as an adult. Foley Griffin Attorneys at Law. <https://www.foleygriffin.com/blog/2022/february/when-can-a-child-be-charged-as-an-adult/>
- Haling, S., Halim, P., Badruddin, S., & Djanggih, H. (2018). Perlindungan hak asasi anak jalanan dalam bidang pendidikan menurut hukum nasional dan konvensi internasional. *Jurnal Hukum & Pembangunan*, 48(2), 361–378.
- Iftitah, A., Yulastuti, E., Mawarni, D. O., & Wardani, R. P. (2023). Pertanggungjawaban hukum anak dalam pelaku tindak pidana berat: Pendekatan, dampak, dan implikasi dalam sistem peradilan anak. *Birokrasi: Jurnal Ilmu Hukum dan Tata Negara*, 1(2), 152–167.
- Komisi Perlindungan Anak Indonesia. (2023). Data kasus perlindungan anak dari pengaduan ke KPAI tahun 2023. <https://bankdata.kpai.go.id/tabulasi-data/data-kasus-perlindungan-anak-dari-pengaduan-ke-kpai-tahun-2023>.
- Markovitz, H. (2012). Should juveniles be tried as adults?. San Diego: ReferencePoint Press.
- Marlina. (2018). Peradilan pidana anak di Indonesia: Pengembangan konsep diversi dan restorative justice. Bandung: Refika Aditama.
- Miller, W. R. (2012). The social history of crime and punishment in America: An encyclopedia (Vols. 1–5). Thousand Oaks: SAGE Publications, Inc.
- Mukaaffah, Z., Alizon, J., & Basir. (2022). Efektivitas diversi terhadap anak yang berkonflik dengan hukum. *Journal of Sharia and Law*, 1(2), 82–96.

- Nur, R., & Bakhtiar, H. S. (2020). The imposition of sanctions for children. *Hasanuddin Law Review*, 6(2), 165–171.
- Nur, R., Bakhtiar, H. S., Miqat, N., Darmawati, & Mustawa. (2021). Model of punishment: Juvenile justice systems. *Jambura Law Review*, 3, 35–56.
- Nur, R., Riza, M., Moenta, A. P., & Bakhtiar, H. S. (2020). Sanctions on children: Comparative studies of Indonesia and Netherlands. *Journal of Law, Policy and Globalization*, 98, 225–232.
- Office of the United Nations High Commissioner for Human Rights. (1989). Convention on the Rights of the Child. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.
- Pradityo, R. (2016). Restorative justice dalam sistem peradilan pidana anak. *Jurnal Rechts Vinding Online*, 6(4), 319–330.
- Schiraldi, V., Chester, L., & Shefner, R. T. (2024). Emerging adult justice: America's recent attempts to apply research to policies and practices. [https://www.americanbar.org/groups/criminal\\_justice/resources/magazine/2024-winter/americas-recent-attempts-apply-research-policies-practices/](https://www.americanbar.org/groups/criminal_justice/resources/magazine/2024-winter/americas-recent-attempts-apply-research-policies-practices/).
- Setyawati, Y., Septiani, Q., Ningrum, R. A., & Hidayah, R. (2021). Imbas negatif globalisasi terhadap pendidikan di Indonesia. *Jurnal Kewarganegaraan*, 5(2), 306–315.
- Soejono, & Abdurrahman, H. (2003). *Metode penelitian hukum*. Jakarta: Rineka Cipta.
- State of Texas. Texas Family Code.
- State of Texas. Texas Penal Code.
- Tanjung, W. J. (2024). ABG pembunuh-pemeriksa siswi SMP di Palembang lolos dari hukuman mati. <https://news.detik.com/berita/d-7585478/abg-pembunuh-pemeriksa-siswi-smp-di-palembang-lolos-dari-hukuman-mati>.
- U.S. Supreme Court. (2005). *Roper v. Simmons*, 543 U.S. 551.
- U.S. Supreme Court. (2012). *Miller v. Alabama*, 567 U.S. 460.