



Handling of Juvenile Brawl Crimes through Criminal Law Policy in Medan City

Penanganan Tindak Pidana Tawuran Remaja Melalui Kebijakan Hukum Pidana di Kota Medan

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ABSTRAK

Penelitian ini berfokus pada kebijakan hukum pidana dalam menangani tindak pidana penyerangan atau perkelahian (taur) yang disebabkan oleh kenakalan remaja di Kota Medan. Perkelahian siswa telah menjadi tren di kalangan remaja, terutama di tingkat SMA dan sederajat, yang dipicu oleh berbagai faktor internal dan eksternal, termasuk pengaruh keluarga, lingkungan sekolah, dan tekanan sosial. Penelitian ini bertujuan untuk mengetahui dasar hukum yang mengatur tindak pidana perkelahian, faktor-faktor penyebab perilaku perkelahian di kalangan siswa, dan upaya untuk mengatasinya yang dilakukan oleh penegak hukum, masyarakat, dan sekolah. Pendekatan yang digunakan dalam penelitian ini adalah metode deskriptif kualitatif, yang meliputi pengumpulan data melalui wawancara dan observasi langsung di Mabes Polda Medan. Hasil penelitian menunjukkan bahwa faktor-faktor seperti frustrasi, gangguan emosional, dan pengaruh lingkungan berkontribusi pada perilaku kenakalan remaja yang mengarah pada perkelahian. Studi ini menekankan pentingnya pendekatan Keadilan Restoratif dalam menyelesaikan kasus perkelahian dan mengusulkan perlunya kolaborasi antara lembaga pendidikan, penegak hukum, dan masyarakat untuk mencegah dan menangani kasus-kasus tersebut secara efektif.

ABSTRACT

This study focuses on criminal law policies in dealing with criminal acts of assault or brawls (tawuran) caused by juvenile delinquency in Medan City. Student brawls have become a trend among teenagers, especially at the high school level and equivalent, which are triggered by various internal and external factors, including family influences, school environment, and social pressure. This study aims to determine the legal basis governing criminal acts of brawls, the factors causing brawl behavior among students, and efforts to overcome them made by law enforcement, the community, and schools. The approach used in this study is a qualitative descriptive method, which includes data collection through interviews and direct observation at the Medan Police Headquarters. The results of the study indicate that factors such as frustration, emotional disturbances, and environmental influences contribute to juvenile delinquency behavior that leads to brawls. This study emphasizes the importance of the Restorative Justice approach in resolving brawl cases and proposes the need for collaboration between educational institutions, law enforcement, and the community to prevent and handle these cases effectively.

INTRODUCTION

The Republic of Indonesia, as mandated in Article 28B paragraph (2) of the 1945 Constitution, guarantees the rights of every child to survival, growth and development, and to receive protection from violence and discrimination. Children are assets and the next generation of the nation who have a strategic role in maintaining the sustainability of the existence of the nation and state in the future. However, the rapid development of technology and information today affects the attitudes and behavior of children, especially in the growth phase towards adolescence.

The phenomenon of juvenile delinquency is increasingly rampant and a concern, especially cases of fights or brawls among students which have become a trend in various regions in Indonesia, including in Medan City. This juvenile delinquency not only threatens public security and order, but also violates the individual's human rights to feel safe. Data from the Indonesian Child Protection Commission (KPAI) shows a significant increase in the number of cases of violence involving teenagers throughout 2023, including cases of student brawls in Medan City.

These brawls involving students are triggered by various factors, such as internal problems of teenagers, conflicts between groups, and the influence of an unfavorable social environment. Often,

these fights between students are seen as a means of showing courage and group existence, while the negative aspects of this action are ignored. This condition shows that the current law enforcement system is not optimal in preventing and overcoming cases of brawls among teenagers.

The problem of brawls between students not only affects the perpetrators, but also causes unrest in the community. These brawls often cause material and physical losses, both for the students involved and for the surrounding community. The negative impacts resulting from this action can disrupt public order, even damage public facilities. This phenomenon shows that juvenile delinquency in the form of brawls has entered a stage that requires serious attention from various parties, including educational institutions, families, law enforcement officers, and the community.

On the other hand, the high number of brawls among students in Medan City shows that there are gaps in the education, upbringing, and law enforcement systems that have not been able to stem this juvenile delinquency. Many teenagers feel that they do not get the right attention or direction from their families and schools, so they seek self-existence through aggressive and destructive behavior. Social environmental factors also play a role, where bad relationships can trigger teenagers to engage in violent acts such as brawls.

In the context of criminal law, brawlers can actually be charged with various articles that regulate violence, abuse, or actions that disrupt public order. However, the implementation of criminal law against brawlers who are still teenagers requires a special approach, considering that children and teenagers have rights that must be protected in accordance with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. Therefore, handling student brawlers needs to prioritize a more educational and restorative approach, rather than merely punishing.

The importance of the Restorative Justice approach in handling cases of student brawls is one solution that needs to be put forward. This approach aims to restore the situation and provide an opportunity for the perpetrators to realize their mistakes, while repairing the losses that have been caused. With this approach, it is hoped that young people who commit brawls can return to society as more responsible individuals and understand the consequences of their actions.

In addition, the role of schools in fostering student behavior is also very important. Schools not only function as a place to gain knowledge, but also as an institution that forms students' character and personality. Guidance programs that emphasize moral and character education, as well as positive extracurricular activities, can be an alternative in channeling adolescent energy in a more constructive direction. This can help reduce the tendency of students to get involved in brawls.

Family also plays an important role in the formation of children's character. Parents as the first figures who play a role in children's education must be able to provide good supervision and guidance. Parenting patterns that lack attention and lack of communication between parents and children are often factors that cause children to seek recognition outside the family environment, which can ultimately lead them to delinquent behavior, including brawls.

Economic and social conditions also contribute to the high number of brawls among students. Teenagers who come from families with less stable economic conditions or are in environments with high crime rates tend to be more susceptible to being influenced to commit acts of violence. Therefore, synergy is needed between the government, society, and non-governmental organizations to create an environment that is conducive to adolescent development.

In the context of law enforcement, the police in Medan City need to play an active role in preventing and taking action against student brawl cases. In addition to taking repressive actions, the police also need to take a more persuasive and preventive approach through socialization and coaching activities for students, parents, and schools. This aims to create legal awareness among teenagers so that they can understand the legal consequences of brawls.

Meanwhile, the role of local government in providing facilities and supporting facilities for positive youth activities is also very much needed. Sports facilities, arts, and religious activities can be alternative positive activities for teenagers, so that they can channel their energy and talents constructively and avoid negative behavior such as brawls.

Through this research, it is important to evaluate the applicable criminal law policies in efforts to overcome criminal acts of assault or fighting caused by juvenile delinquency. In addition, a more comprehensive approach is needed, including the application of the Restorative Justice approach, so that law enforcement efforts can function not only as a means of punishment, but also as a means of rehabilitation and education for perpetrators who are still teenagers. This study is expected to contribute to understanding the causal factors and effective efforts to overcome criminal acts of juvenile brawls, as well as assist educational institutions, law enforcement, and the community in creating a more conducive environment for the development of children in Medan City.



Formulation of the problem

1. How is the criminal law policy implemented in efforts to overcome criminal acts of assault or brawls (brawls) due to juvenile delinquency in Medan City?
2. What are the factors that cause criminal acts of assault or fighting among teenagers in Medan City, and how are law enforcement, the community, and educational institutions trying to overcome them?

METHODE

Research methods

This study uses a qualitative descriptive approach with the aim of understanding in depth the criminal law policy in efforts to overcome criminal acts of assault or brawls (brawls) caused by juvenile delinquency in Medan City. This method was chosen to obtain a clear picture of the phenomenon of juvenile brawls, the causal factors, and the legal policies that have been implemented in efforts to overcome them.

Research Approach

Qualitative descriptive research is used to describe and analyze criminal law policies, factors causing youth brawls, and mitigation efforts made by various parties. This approach allows researchers to dig up information from various sources, including in-depth interviews and document analysis related to criminal law policies in Medan City.

Location and Time of Research

The research was conducted in Medan City with a focus on related agencies such as Medan Police, schools, and community institutions that play a role in overcoming youth brawls. The research period lasted from December 2023 to April 2024.

Data analysis

The data obtained were analyzed descriptively qualitatively, namely by organizing the data based on categories relevant to the research objectives. The analysis was carried out by interpreting the data that had been collected, then compared with existing theories and policies. The results of the analysis were interpreted to answer the formulation of the research problem, so that they could provide recommendations for criminal law policies in efforts to overcome criminal acts of brawls among teenagers.

RESULT AND DISCUSSION

Criminal Law Policy Implemented in Efforts to Combat Criminal Acts of Assault or Fighting

This study found that the criminal law policy implemented in an effort to overcome criminal acts of assault or brawls (brawls) due to juvenile delinquency in Medan City still has various challenges in its implementation. Based on data analysis and interviews with the police, law enforcement officers, and schools, the current policy tends to be repressive, although there have been efforts to implement a preventive approach and Restorative Justice.

One of the criminal law policies that is the basis for dealing with student brawls is the application of articles in the Criminal Code (KUHP) relating to acts of violence, abuse, and destruction. Article 170 of the Criminal Code, for example, is used to ensnare perpetrators involved in fights together in public. However, the application of this article often causes a dilemma because the perpetrators of brawls are mostly minors, so it requires a more specific approach.

The criminal law policy for children involved in criminal acts of brawls is also regulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. In this law, children who are in conflict with the law have the right to receive special protection and different treatment from adults. Therefore, the legal process against perpetrators of brawls who are still teenagers tends to be directed towards diversion efforts, namely resolving cases outside the judicial system.

However, the implementation of this diversion approach still faces various obstacles. From the results of the study, it was found that not all cases of student brawls in Medan City can be resolved through diversion due to factors such as material and physical losses incurred, pressure from the victims, and public pressure to take firm action against the perpetrators. This has resulted in law enforcement officers still taking more repressive steps by detaining or processing the perpetrators of brawls through the criminal justice system.

In addition, criminal law policy also involves the active role of the police in overcoming student brawls in Medan City. Based on the results of interviews with the Medan Police, it is known that the police have taken various preventive measures, such as routine patrols in areas prone to brawls, socialization to schools, and coaching for students who have been involved in brawls. However, these preventive measures have not been fully effective in reducing the number of student brawls, because aggressive behavior of teenagers is often triggered by environmental factors, socializing, and social media.

On the other hand, the criminal law policy in the form of action against brawlers also still does not provide a deterrent effect. Some perpetrators who have undergone the legal process tend to commit similar acts again after serving their sentences. This shows that the current criminal law policy has not been fully able to overcome the root of the problem of juvenile delinquency and student brawls.

Efforts to overcome through criminal law policies also involve schools in providing guidance and supervision to students. This study found that most schools in Medan City have implemented strict disciplinary rules, including sanctions for students involved in brawls. However, the implementation of these sanctions is still often hampered by factors such as lack of supervision from the school, the inactive role of parents, and limitations in monitoring student activities outside the school environment.

The Restorative Justice approach, which is part of the criminal law policy, has also begun to be applied in several cases of student brawls in Medan City. This approach focuses on recovery and providing opportunities for perpetrators to correct their mistakes through mediation and conflict resolution with victims. Although this approach is considered more effective in overcoming the problem of brawls, its implementation still faces obstacles, especially in terms of coordination between the police, schools, and parents.

The study also found that there are still weaknesses in coordination between law enforcement officers, educational institutions, and local governments in dealing with cases of student brawls. The lack of synergy between the related parties causes the handling of brawl cases to be less than optimal, and brawlers often re-engage in fights after undergoing legal proceedings or coaching.

Criminal law policy in efforts to overcome student brawls also needs to consider social and economic factors that influence adolescent behavior. Factors such as family conditions, social environment, and social pressure are the main triggers for brawls among students. Therefore, criminal law policy needs to be accompanied by a more comprehensive social and educational approach.

In this study, it was found that the role of educational institutions in supporting criminal law policies is also very important. Schools have a responsibility to provide character education and supervision of students. However, limited resources and lack of attention from schools in providing guidance are often obstacles in preventing student brawls.

In addition, the study also shows that the role of society in supporting criminal law policies is very necessary. Public awareness to report cases of brawls, provide supervision of children, and participate in juvenile delinquency prevention programs are important factors in reducing the number of student brawls in Medan City.

Overall, this study concludes that criminal law policies in efforts to overcome criminal acts of assault or fighting due to juvenile delinquency in Medan City still need to be improved. A more holistic and collaborative approach between law enforcement officers, educational institutions, families, and communities is needed to create a conducive environment for teenagers and prevent brawls.

Thus, criminal law policy must be directed to not only provide sanctions, but also provide education, guidance, and rehabilitation for brawlers. This aims to ensure that teenagers involved in criminal acts can realize their mistakes and not repeat similar actions in the future.

Factors Causing Criminal Acts of Assault or Fighting Among Teenagers in Medan City

This study found that the factors that cause criminal acts of assault or brawls (tawuran) among teenagers in Medan City are influenced by various internal and external factors. Based on the results of interviews, observations, and data analysis, these factors include family conditions, social environment, economic factors, media influence, and weak supervision from schools and the community. Internal factors that are the main cause of juvenile delinquency that leads to brawls are psychological and emotional problems. Many teenagers who are in the phase of searching for their identity feel confused and experience internal conflict, so they seek recognition and self-existence through aggressive actions such as brawls. The inability to manage emotions and the influence of social circles are also the main triggers for teenagers to be involved in violent acts.

In addition, family factors also have a significant influence on brawl behavior among teenagers. This study shows that teenagers who grow up in less harmonious families or experience problems such as divorce, conflict between parents, and lack of attention tend to be more susceptible to being involved in delinquent acts, including brawls. Lack of communication between parents and children and minimal



supervision from parents are factors that encourage teenagers to seek an outlet outside the home, which often leads to acts of violence.

The influence of the social environment is also one of the dominant external factors in causing brawls. Teenagers who join certain groups or gangs are often involved in aggressive behavior because they feel the need to show solidarity and the existence of their group. Brawls between schools or between student groups become an arena for proving themselves and their strength for teenagers, so they feel proud when they win a fight.

In addition, economic factors also play a role in triggering juvenile delinquency. Teenagers who come from families with less stable economic conditions tend to experience higher pressure and stress, so they seek escape through negative actions, including brawls. Limited access to educational facilities and other positive activities also makes teenagers more vulnerable to falling into the wrong crowd.

The influence of media, especially social media, is also a factor that worsens the problem of student brawls. This study found that many students were inspired by brawl videos spread on social media, so they felt compelled to imitate the behavior. Social media is also a means for teenagers to challenge or provoke each other, which eventually leads to fights.

In the context of schools, research results show that the lack of supervision and guidance from schools is one of the causes of brawls among students. Many schools are still unable to provide strong character education and discipline to students. The lack of positive extracurricular activities is also a factor that causes students to seek pleasure and challenges outside the school environment, which often ends in brawls.

This study also found that the weak role of law enforcement officers in handling cases of student brawls contributed to the rampant action. Often, brawlers only receive light sanctions or just coaching without any firm follow-up, so it does not provide a deterrent effect. This makes teenagers feel that brawls do not have serious consequences and they tend to repeat them.

In addition to the causal factors, this study also identified various mitigation efforts that have been carried out by law enforcement, the community, and educational institutions in dealing with youth brawls in Medan City. The police, for example, have taken various preventive measures such as patrols in brawl-prone areas, counseling in schools, and coaching for students who have been involved in brawls. However, these efforts still need to be improved, especially in terms of strict law enforcement against perpetrators. At the school level, several efforts made to overcome brawls include the implementation of disciplinary rules, character building through extracurricular activities, and providing counseling for students who are indicated to be involved in aggressive behavior. However, the lack of resources and attention from schools often becomes an obstacle in the implementation of this program, so that brawl prevention efforts do not run optimally.

The community also plays an important role in efforts to overcome youth brawls. The results of the study showed that the existence of community organizations and youth figures who actively provide guidance and direction to teenagers can help reduce the number of brawls. However, community participation in this effort is still relatively low, so it is necessary to increase awareness and community involvement in creating a conducive environment for teenagers.

The implementation of the Restorative Justice approach by law enforcement officers is also one of the mitigation efforts that is starting to be implemented. This approach focuses on the recovery and resolution of conflicts between perpetrators and victims, involving families, schools, and communities. Although this approach is considered more effective than the repressive approach, its implementation is still limited and has not become a comprehensive policy in Medan City.

This study also found that there needs to be a collaborative program between local governments, schools, and community organizations in providing positive facilities and activities for teenagers. The provision of sports facilities, arts, and religious activities can be an alternative for teenagers to channel their energy constructively, so that it can reduce their tendency to get involved in brawls.

In addition, the need to strengthen character education in schools is also an important recommendation resulting from this study. Schools must be more active in shaping students' characters through programs that emphasize the values of discipline, responsibility, and respect for the rights of others. These coaching programs can help reduce aggressive behavior among adolescents.

Family empowerment efforts are also an important factor in preventing student brawls. Parents need to be given understanding and skills in educating their children, so that they can create a harmonious environment and support positive child development. Parenting training programs that involve families can be one step to increase the role of parents in preventing juvenile delinquency.

The local government in Medan City also needs to be more proactive in dealing with the problem of student brawls. Making stricter regulations and giving clear sanctions to brawlers can be effective preventive measures. In addition, the government also needs to provide more safe and positive public spaces for teenagers to be active.

This study emphasizes that overcoming student brawls in Medan City cannot rely on just one party. Synergy is needed between law enforcement, educational institutions, families, and the community to create a comprehensive solution. This collaborative effort is expected to reduce the number of brawls and form teenagers who are more characterful and responsible.

Overall, the results of this study indicate that the factors causing student brawls are very complex and require holistic handling. Prevention efforts must not only focus on law enforcement, but also need to pay attention to aspects of education, character building, and strengthening the role of families and communities. With the implementation of appropriate policies and cooperation from all parties, it is hoped that the number of student brawls in Medan City can be reduced and teenagers can develop into positive and productive individuals.

CONCLUSION AND SUGGESTION

Conclusion

This study shows that the criminal law policy in dealing with criminal acts of assault or brawls (tawuran) due to juvenile delinquency in Medan City still faces various challenges in its implementation. Although there are already legal regulations governing criminal acts such as brawls, the approach used tends to be repressive and less effective in providing a deterrent effect to the perpetrators. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System has actually provided a basis for the Restorative Justice approach, but its application is still limited and is often not a priority in handling cases of student brawls.

In addition, the study also found that the factors causing student brawls in Medan City are very complex, including internal factors such as psychological problems, emotions, and the search for identity among teenagers. External factors that influence include less harmonious family conditions, negative social environment influences, economic pressures, and the influence of social media that triggers aggressive behavior among teenagers.

Efforts to overcome this problem carried out by law enforcement officers, schools, and the community in overcoming youth brawls are still not optimal and not integrated enough. The police have taken various preventive and law enforcement actions, but have not provided a significant deterrent effect. On the other hand, schools still face obstacles in providing character building and supervision of students, while the role of the community in supervising and guiding teenagers still needs to be improved.

The conclusion of this study confirms that handling criminal acts of student brawls requires a more holistic and comprehensive approach, involving the active role of all parties, including law enforcement officers, educational institutions, families, local governments, and the community. Criminal law policies must be directed not only at law enforcement, but also at prevention, coaching, and rehabilitation efforts for brawl perpetrators. The application of the Restorative Justice approach, strengthening character education in schools, empowering families, and providing positive facilities and activities for teenagers need to be a priority in efforts to overcome student brawls in Medan City. Thus, it is hoped that teenagers can avoid delinquent behavior and develop into a generation that is more responsible, has integrity, and has a positive contribution to society and the nation.

Suggestion:

1. Implementation of the Restorative Justice Approach

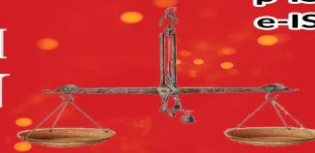
A broader and more consistent application of the Restorative Justice approach is needed in handling cases of brawls among teenagers. This approach allows perpetrators, victims, families, and communities to be involved in the conflict resolution process, so that perpetrators can understand the impact of their actions and be responsible for repairing the losses that have been caused. This will provide a deterrent effect as well as a learning experience for perpetrators of brawls.

2. Strengthening Character Education in Schools

Schools need to strengthen character education and discipline programs to prevent aggressive behavior among students. Schools can organize positive extracurricular activities, social skills training, and counseling programs to help students develop empathy, responsibility, and self-control. In addition, increased supervision of students, both inside and outside the school environment, is also needed to prevent their involvement in brawls.

3. Empowering Family Roles

Parents are expected to be more proactive in supervising and guiding their children, especially in providing good attention and communication. The family is the first environment that forms a child's character, so the role of parents is very important in preventing juvenile delinquency. Parenting programs or training for parents can be held by schools or the government to improve their understanding of how to educate and foster children properly.



4. Increasing the Role of Law Enforcement Officers

The police need to increase the effectiveness of preventive and repressive actions against brawlers. In addition to conducting routine patrols in brawl-prone areas, the police can also work with schools and the community to conduct outreach regarding the legal impacts of brawls. Stricter law enforcement against brawlers also needs to be carried out to provide a deterrent effect and prevent future fights.

5. Provision of Facilities and Positive Activities for Teenagers

Local governments need to provide more facilities and positive activities that can be an alternative for teenagers to channel their energy and creativity. Sports facilities, arts, music, and religious activities can be a means for teenagers to develop their talents and interests, so that they can reduce the tendency to engage in negative activities such as brawls.

6. Strengthening the Role of Community and Youth Leaders

The community, especially youth leaders, are expected to play an active role in providing guidance and direction to teenagers. Community participation in supervising and providing support to young people in their environment can help prevent brawls. Community programs that involve teenagers in social and humanitarian activities can also help shape positive attitudes and a sense of responsibility among teenagers.

7. Supervision and Regulation of Social Media Use

Given the influence of social media in triggering brawls, there needs to be stricter supervision and regulation of social media use by teenagers. Schools and parents need to provide education about the wise use of social media and the negative impacts of violent content. The government can also work with social media platforms to monitor and remove content that can trigger violence among teenagers.

8. Development of Partnership Programs between Schools, Law Enforcement Officers, and Local Governments

Cooperation between schools, law enforcement officers, and local governments is needed to develop programs to prevent brawls. These programs can be in the form of anti-violence campaigns, counseling, and awards for schools or youth groups that successfully demonstrate positive behavior and avoid brawls. This cross-sector collaboration will be more effective in creating an environment that is conducive to youth development.

9. Further Research

Further research is needed to understand the factors that cause brawls in more depth, including the long-term impact of juvenile delinquency on individual development. This research can provide additional insights for the government, educational institutions, and the community in designing more effective brawl prevention and response programs.

10. Evaluation and Supervision of Legal Policy

It is necessary to conduct periodic evaluations of the legal policies implemented in dealing with youth brawls. The government, law enforcement officers, and educational institutions must ensure that existing policies are implemented effectively and in accordance with the needs of youth. Strict supervision of the implementation of these policies will ensure that brawl prevention measures are carried out appropriately and provide the expected results.

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