

PENERAPAN *RESTORATIVE JUSTICE* TERHADAP ANAK SEBAGAI PELAKU TINDAKPIDANA PENCURIAN DI POLRES BULELENG

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui dan menganalisis: (1) Penerapan *Restorative Justice* terhadap anak sebagai pelaku tindak pidana pencurian di Polres Buleleng; (2) Hambatan kepolisian dalam penerapan *Restorative Justice* terhadap anak pelaku tindak pidana pencurian di Polres Buleleng. Penelitian ini merupakan penelitian yuridis empiris menggunakan teknik observasi, wawancara, dan studi dokumen. Adapun teknik penentuan sampel dalam penelitian ini menggunakan teknik *non probability sampling* dalam bentuk *Purpose Sampling*. Bahan hukum yang digunakan dalam penelitian ini adalah bahan hukum primer, sekunder, dan tersier yang berguna untuk menarik kesimpulan relevan dengan permasalahan pada penelitian ini. Hasil penelitian ini menunjukkan bahwa (1) Penerapan *Restorative Justice* melibatkan orangtua dari pelaku maupun korban, Balai Pemasarakatan, pihak pekerja sosial dari Dinas Sosial. Kemudian diupayakan Mediasi cara penyelesaian melalui diversifikasi. (2) hambatan yang dihadapi dalam menerapkan *Restorative Justice* ditemukan beberapa hambatan, diantaranya, pihak keluarga korban tidak mau berdamai, tidak adanya itikad baik dari pihak pelaku, pihak korban meminta ganti rugi yang tidak relevan dan tidak masuk akal, kurangnya pengetahuan masyarakat tentang upaya *Restorative Justice*.

Kata Kunci : *Restorative Justice*, Anak, Tindak Pidana, Pencurian, Bapas.

APPLICATION OF RESTORATIVE JUSTICE TOWARDS CHILDREN AS CRIMINAL ACT OF THEFT IN THE BULELENGPOLICE STATION

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ABSTRACT

This research aims to find out and analyzed To: (1) Application of Restorative Justice towards children as criminal act of theft in the Buleleng police station; (2) Obstacles faced by the police in implementing Restorative Justice towards children who commit criminal thefts at Buleleng Police Station. This research is empirical juridical legal research that uses observations, interviews and document studies. The sampling technique in this research uses non-probability sampling techniques in the form of purpose sampling. The legal materials used in this research are primary, secondary and tertiary legal materials, which are useful in drawing conclusions relevant to the problems of this research. The results of the research show that (1) The implementation of Restorative Justice includes parents of the perpetrator and the victim, Correctional Center, social worker from social services. A then attempted mediation through diversion, (2) There were several obstacles to the implementation of Restorative Justice, including the victim's family's lack of desire to make peace, the perpetrator's lack of good faith, the victim's demand for compensation which was irrelevant and inadequate, and a Lack of public knowledge about Restorative Justice efforts.

Keywords : *Restorative Justice, Child, Criminal Act, Theft, Correctional Center*