THE LEGAL PROTECTION TOWARDS CHILD WHO CONDUCTS CRIMINAL RELATED TO UNDANG-UNDANG NO 3 YEAR 1997 ABOUT CHILD JUSTICE JUNCTO UNDANG-UNDANG NO 23 YEAR 2002 ABOUT CHILD PROTECTION

ABSTRACT

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Child is a parts of society, child has the same rights as the other society that should be protected and respected, every country must pay attention and protection to the child's right such as civil rights, economy, social and culture. But it seems that the position and the child's right has not the sufficient attention either from government, law enforcement, or society and far from the actual rights given to them. This condition is compounded by the low of law enforcement about child's right conducted by law enforcement officer. Based on the background, it is necessary to be reviewed problem about Undang-Undang no 3 year 1997 about child justice rules about child conducts crime and how the legal protection towards child who conducts crime, according to Undang-Undang no 3 year 1997 about child justice juncto Undang-Undang no 23 year 2002 about child protection.

This study is descriptive analytic by describe the facts in form of primary data and secondary data with juridical normative. The data is analyzed in juridical qualitative, so the hierarchy of legislation can be noticed and guarantee legal certainty.

According to analysis towards data , it can be inferred that crime conducted by child refers to Undang-Undang no 3 year 1997 about child justice is a child in juridical conducts conduct crime or provision and regulation, legal protection towards child who conduct crime are in article 16 of paragraph (3) Undang-Undang no 23 year 2002 said that arresting, detention and criminal punishment is in the last effort, and according to article 24 Undang-Undang no 3 year 1997 about child justice, legal protection towards is that judge can give punishment in form of action namely child can be returned to the parents, child is returned to social department, and child is returned to the government.