

.ABSTRACT

A DIVERSION APPROACH TO CHILDREN WHO CAUSE TRAFFIC ACCIDENTS SERIOUS WOUNDS

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Underage motorbike riders are often found both in big cities and in rural areas. This is interesting to discuss related to the settlement of traffic accident cases outside the court through the concept of Non Penal or diversion of traffic accident cases committed by children that cause serious injuries.

The formulation of the problem in this thesis is how to regulate diversion law in the juvenile justice system in Indonesia, how to implement diversion against children in traffic accidents at the Dairi Police, what are the obstacles to implementing diversion against children in traffic accidents at the Dairi Police and how to resolve them.

The research conducted is normative research, namely research that uses laws and regulations as a basis for solving the problems raised. The data used is secondary data and the data collection method used in this research is library research. Data analysis used is qualitative data. Diversion has been implemented since the issuance of Perma No. 04 of 2014 dated 24 July 2014 concerning Guidelines for the Implementation of Diversion in the Juvenile Criminal Justice System.

Based on the research results, it is known that diversion has been implemented since the issuance of Perma No. 04 of 2014 dated 24 July 2014 concerning Guidelines for the Implementation of Diversion in the Juvenile Criminal Justice System. Diversion is carried out only for crimes committed by children whose punishment for the crime is under 7 (seven years) and is not a repetition of the crime. traffic accident cases in Law no. 22 of 2009 concerning Traffic and Road Transportation, whether intentional or unintentional, both victims die and/or suffer minor or serious injuries, all of which are carried out based on the diversion mechanism contained in Perma No.4 of 2014. Implementation of diversion of children in the traffic accident at the Dairi Police Station was based on a report and the Investigator made a BAP. Obstacles in carrying out diversion of children in traffic accidents at the Dairi Police Station were the lack of time provided by law for law enforcers to seek diversion, efforts to compensate were hampered due to sometimes both parties in terms of compensation efforts do not meet the agreement,

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