



Legal protection against victims in compulsory diversion based on law number 11 year 2012 about the criminal justice system

Lade Sirjon SH

LL.M., Lecturer, Faculty of Law Halu Oleo University, Kendari, Indonesia

Abstract

This study discusses Legal Protection against Victims in the Diversity Enforcement Based on Law Number 11 Year 2012 About Child Criminal Justice System.

The formulation of the issues raised is how the concept of protection of victims in the implementation of diversion based on Law Number 11 Year 2012 on the Criminal Justice System of Children?

The conclusion of this research is legal protection to victim's interest in diversion effort based on Law Number 11 Year 2012 about Child Criminal Justice System lies in the shifting of approach in criminal justice system, from retributive justice to restorative justice. In order to fulfill the protection aspect of the victim's interest, in the formulation policy of diversion enforcement can be realized by the arrangement of the diversion process must involve the victim and / or parent / guardian, the diversion process shall pay attention to the victim's interest, the diversion process shall obtain the consent of the victim and the existence of the compensation arrangement which can be obtained by the victim is an aspect of protection against the interests of the victim.

Keywords: legal protection, victim, diversity

1. Introduction

As a consequence of the theory of community covenant, the state should be able to guarantee the protection of society. This protection guarantee shall be applicable widely, either from threats from outside Indonesia, or from within Indonesia. In addition, this protection guarantee must also be provided both from attacks on the Indonesian people as a whole, as well as to individual individuals (Mansur and Gultom, 2008: 10) ^[5, 6].

One concretization of the responsibility of the State to provide assurance of protection for the public (the citizen) is the state is obliged to protect the public from any form of crime or other deviant acts that may be experienced. It is appropriate for the state to pay more attention to victims of crimes that are suffering economically, physically, and psychologically (Mansur and Gultom, 2008: 11) ^[5, 6].

The issue of justice and human rights in relation to criminal law enforcement is not a simple job to realize. Many of the events in people's lives show that both of these have less attention. One example of the lack of attention to the issue of justice and human rights in criminal law enforcement is related to the legal protection of victims of crime. The criminal victim, who is essentially the most suffering party in a criminal act, does not receive as much protection as provided by law to the perpetrator of the crime. Consequently, when the offender has been sentenced to criminal sanctions by the court, the circumstances of the victim of such crimes are ignored altogether. Whereas the issue of justice and respect for human rights not only apply to perpetrators of criminal acts alone, but also against victims of criminal acts.

2. Literature Review

In the general justices of justice services to the justice seekers in criminal justice, especially the victims of criminal acts up to now still not satisfactory. The victim can not claim compensation for the suffering or loss suffered (Gosita, 1985: 112) ^[2]. The sanctions imposed are often clearly addressed to the victim's compensation, and gradually the state takes over responsibility for the implementation of the criminal law of the victim, the state acts as a "representative of peace" in the community and the victim (Gosita 1985: 118) ^[2]. With the imposition of sanctions on the perpetrators of criminal acts as if they have provided protection to the victims of crime, whereas the losses suffered by the victims can not be restored so that the interests of the victims in the criminal justice system are not given the maximum service.

In relation to the protection of victims through criminal justice during this much neglected. The problem of crime is always focused on what can be done against criminals and less questionable what can be done to the victim. Everyone considers that the best way to help the victim is to arrest the perpetrator of a crime, as if the offender is the only source of difficulty for the victim. This is clearly visible from Marc Ancel's opinion as cited by Maya Indah on social defense that the concept of modern social defence is interpreted as interpreted as "The prevention of crime and treatment of offenders". Commented by Marc Ancel further, that the consequence of the modern concept of 'social defense' means the purpose of criminal law politics is the systematic resocialization of offender. This concept seeks to safeguard human rights from the perpetrator of evil, even though he has

to pay for his crime or punishment (Indah S, 2014: 114) ^[8]. It is clear from Marc Ancel's opinion that the concept of social protection is assumed to be crime prevention and crime counseling, indicating that the victims are not getting much attention from the concept. The protection of victims is only interpreted indirectly by preventing the occurrence of crime, which seems to have been achieved if the perpetrator is convicted. Victim protection is disallowed and limitative in this concept, and does not provide insight for seeking "access to justice and fair treatment to the victim" as well as thoughts of compensation, restitution and assistance (Indah S 2014: 114) ^[8].

In practice law enforcement often ignores the interests of victims, victims feel their rights are neglected, among others, due to weak indictments, mild demands, not knowing the progress of handling cases, not receiving compensation and non-fulfillment of other rights. Whereas, in a criminal justice system with the principle of equality before the law, the protection of the victim's interests must obtain services, not only the suspects or defendants protected by their rights, but the interests of the victims must also be protected. It is natural that there is a balance (balance) of protection against the suspect / defendant with the protection of the victim (Waluyo, 2012: 34) ^[3].

Basically on the protection of the interests of victims has been regulated in several laws and regulations but has not provided maximum protection against the interests of victims. The protection of the victims' interest in the Criminal Procedure Code is set forth in Chapter XIII concerning the amendment of the indemnification lawsuit in Section 98-101 of the Criminal Procedure Code. Among other things, it regulates: "If an act on which an indictment is charged in a criminal case by a public court creates harm to another person, the presiding judge at the request of that person may decide to combine the lawsuit against the criminal case".

Listening to the above formulation, the intended loss is material or real (rill) losses are not immaterial. For immaterial losses may be filed separately through a civil suit. Of course this does not satisfy the victim, and if through a civil lawsuit will take a long time and not necessarily the lawsuit is granted entirely. Therefore, the process / procedure and the substance of the arrangement are considered to contain weaknesses. In practice also rarely and almost never done merger case lawsuit compensation this (Waluyo, 2012: 58) ^[3].

Protection of the victims' interests is also provided for in Article 5 paragraph (1) of Law Number 31 Year 2014 on Amendment to Law Number 13 Year 2006 concerning Protection of Witness and Victim. In order to provide protection to victims' interests in the law the victim gains protection for his or her personal, family, and property, and is free from threats relating to the testimony that he or she will, or has given, participate in the process of selecting and determining the form of protection and security support, providing unstated information, getting translators, free from inquiries, getting information about case progress, getting information about court decisions, knowing in the event that the convicted person is released, being kept anonymous, getting a new identity, getting a new residence, getting a change of cost transportation according to need, obtain legal advice, obtain temporary living expenses until the end of

protection period and receive assistance. However, some of the rights obtained by the victims have not been able to recover the losses suffered by the victim.

Less attention to the interests of victims in the criminal justice system because the concept of justice adopted is retributive justice (retributive justice). According to the perspective of retributive justice, crime is a violation of public order or an act against the public, against the collective body of citizens, opposed to standard standards by the democratic institutions of society. Therefore, the administration of justice emphasizes the responsibility exclusively by the State (monopolizing prosecution and enforcement) (Sunarso, 2012: 43-44) ^[13]. So with the concept that is held the interest of the victim lacks attention in the criminal justice system.

The position of victims in the general criminal justice system is different from the position of the victim in the criminal justice system of the child. This distinction is based on 2 (two) different concepts of justice embraced in the general criminal justice system and the criminal justice system of children. In the general criminal justice system the concept of justice adopted is retributive justice, whereas in the criminal justice system the child is more to a restorative justice approach. The approach of restorative justice in the child criminal justice system can be seen in the provisions of Article 5 paragraph (1): "the criminal justice system of children shall prioritize the approach of restorative justice". These two concepts of justice have some differences in looking at some of the basic concepts in criminal law (formal and material) and the conduct of criminal justice, particularly the position of crime victims.

Problem solving by using restorative justice approach is expected that all those who feel disadvantaged will be recovered and the respect and respect of the victims of a crime. Respect granted to the victim by requiring the perpetrator to recover from the crime he / she has committed. Recovery by the perpetrator in the form of compensation, social work, performing certain improvements or activities in accordance with a joint decision agreed upon by all parties in the meeting. In the implementation of this concept it gives victim-driven opportunity to convey about the loss suffered, both the material and moral loss caused by the criminal acts committed by the perpetrator to him (Marlina, 2012: 24) ^[9]. In the provisions of Law Number 11 Year 2012 on Child Criminal Justice System Article 1 point 7, as the embodiment of the concept of restorative justice in the criminal justice system of children, one of the forms of settlement of crime is through the diversion. Diversi here can be interpreted as the transfer of settlement of child cases from criminal justice process to process outside of criminal court.

Based on the description of the background, the authors are interested to examine or conduct research on how the concept of protection of victims in the implementation of diversion based on Law Number 11 Year 2012 About the Criminal Justice System of Children?

3. Research Methods

Legal research according to Soerjono Soekanto as quoted by Bambang Waluyo, that "legal research is a scientific activity, based on methods, systematics, and certain thoughts, which aims to study one or some specific legal phenomena, by

analyzing it (Waluyo 1991: 6) ^[4]. Based on the type, nature, and purpose of a legal research can be divided into two namely normative legal research, and empirical law research (Waluyo, 1991: 6) ^[4]. Normative legal research or literature law research is a legal research conducted by examining library materials or secondary data only. While empirical or sociological law research is legal research primarily examine the primary data (Soekanto and Mamudji, 2010: 13-14) ^[4].

This research is classified as normative research or bibliography with emphasis which begins at contradiction of law principle which then will be searched for references to system norm or literature study. Data to be used in this research is secondary data. Secondary data is a type of data obtained indirectly from the source, such as reading materials in the form of books, papers or research results, documents, legislation, court decisions, statistical data and so forth.

In the research conducted data search through literature study, that is examining the legal materials, both primary legal materials, secondary legal materials and tertiary legal materials related to the issues to be studied and researched in order to strengthen the analysis of secondary data.

The method of data analysis used is descriptive qualitative method that is to find and collect data that have relation with object and problem to be researched which then taken and arranged systematically to get clear and complete picture. After obtained secondary data that is material of law in the form of primary law material, secondary and tertiary then processed and analyzed by qualitative method that is exposure back with systematic sentence to give clear picture of answer of existing problem, finally expressed and presented in the form of exposure (descriptive), which then drew a conclusion on the problems and research results.

4. Discussion

The issue of justice and human rights in relation to criminal law enforcement is not a simple job to realize. Many of the events in people's lives show that both of these have less attention. One example of the lack of attention to the issue of justice and human rights in criminal law enforcement is related to the legal protection of victims of crime. The criminal victim, who is essentially the most suffering party in a criminal act, does not receive as much protection as provided by law to the perpetrator of the crime. Consequently, when the offender has been sentenced to criminal sanctions by the court, the circumstances of the victim of such crimes are ignored altogether. Whereas the issue of justice and respect for human rights not only apply to perpetrators of criminal acts alone, but also against victims of criminal acts.

According to Muladi (1997: 176-177) ^[10], there are several reasons on which the victims need to be protected in the criminal justice system. First, the punishment process in this case implies in a general sense and in a concrete sense. In a general sense, the crime process is the authority of the legislator, in accordance with the legality principle which asserts that "poena" and "crime" must be regulated before imposing a criminal on a criminal offender. Here, there are moral demands, in the form of a philosophical linkage on the one hand and the sociological linkage within the framework of human relationships in society. Sociologically, all citizens must participate fully in the life of society, society is

considered as a form of systemic institutionalized trust (system of institutionalized trust). The occurrence of crime in the victim, will mean the destruction of the belief system. The regulation of criminal law and other laws concerning the victim's case serves as a means of restoring the trust system.

Second, the legal protection for victims based on social contract arguments and social solidarity arguments. Social contacts state that the state may be said to monopolize all social reactions to crime and prohibit private acts. Therefore, in the event of a crime resulting in a victim, the state must be held accountable for the victims' needs. The argument of social solidarity states that the state must safeguard its citizens in meeting their needs or if their citizens experience difficulties, through cooperation in society by means of means provided by the state. Third, the protection of crime victims is linked to one of the objectives of crime. The aim of criminal prosecution nowadays is to put forward the resolution of conflicts caused by the existence of criminal acts, restoring balance and bringing a sense of peace in society.

During this time many developed the idea that with the prosecution paku crime and subsequent perpetrators serving the punishment, then the legal protection of the victim is considered to have been fully granted. In the settlement of criminal cases, the law often puts too much of the rights of the accused / defendant while the rights of the victim are ignored, as stated by Andi Hamzah: "In discussing criminal procedure law especially in relation to human rights, matters relating to the rights of the suspect without regard to the rights of the victims (Hamzah 1986: 33).

The position of victims in the general criminal justice system is different from the position of the victim in the criminal justice system of the child especially in relation to the enactment of diversion in the criminal justice system. This distinction is based on 2 (two) different concepts of justice embraced in the general criminal justice system and the criminal justice system of children. In the general criminal justice system the concept of justice adopted is retributive justice, whereas in the criminal justice system the child is more to a restorative justice approach. The approach of restorative justice in the child criminal justice system can be seen in the provisions of Article 5 paragraph (1): "the criminal justice system of children shall prioritize the approach of restorative justice".

These two concepts of justice have some differences in looking at some of the basic concepts in criminal law (formal and material) and the conduct of criminal justice, particularly the position of crime victims. The difference is as follows (Sunarso, 2012: 43-44) ^[13]

- a. **Retributive justice:** According to the perspective of retributive justice, a crime is a violation of public order or an act against the public, against the collective body of citizens, opposed to standard standards by the democratic institutions of society. Therefore, the administration of justice emphasizes exclusively liability by the state (monopolizing prosecution and enforcement).
- b. **Restorative justice:** According to the perspective of restorative justice in view of crime, although crimes committed also violate criminal law, is the conflict between individuals that cause harm to the victim, the community and its own offenders.

Thus the change of perspective from retributive justice to restorative justice is a change in the level of the philosophy of justice underlying positive law legislation as the material legal principle in the field of criminal law and the criminal justice system, the change will bring a new perspective in the criminal law and the system criminal justice. First, justice in criminal law is oriented towards the interests or suffering of the victim and the defendant is responsible for the consequences of his actions. Second, the crime is an individual offense, then, Third, the victim is the person who is harmed by the crime (violation of criminal law), the victim, the community, the state, and indeed the offender itself. Fourth, the administration of criminal justice as a means of resolving the conflict and, Fifth, criminal and criminal type that will be imposed on the violator is part of the settlement of the conflict and the responsibilities of the offender against the consequences of his actions. Sixth, victims, community, state and offenders in the criminal justice process are active (Mudzakir, 2011: 37).

Problem solving by using restorative justice approach is expected that all those who feel disadvantaged will be recovered and the respect and respect of the victims of a crime. Respect granted to the victim by requiring the perpetrator to recover from the crime he / she has committed. Recovery by the perpetrator in the form of compensation, social work, performing certain improvements or activities in accordance with a joint decision agreed upon by all parties in the meeting. In the implementation of this concept it gives victim-driven opportunity to convey about the loss suffered, both the material and moral loss caused by the criminal acts committed by the perpetrator to him (Marlina, 2012: 24) ^[9].

In the formulation policy of Article 8 paragraph (1) of Law Number 11 Year 2012 on the Criminal Justice System of Child, the diversion in the juvenile criminal justice system, in order to provide legal protection to the victim's interest, in the process of diversion must be done through deliberation by involving children and persons parents / guardians, victims and / or their parents / guardians, social counselors and professional social workers based on a restorative justice approach. With the involvement of victims in the diversion process, their interests are expected to be protected and the losses suffered by both material and non-material can be removed. In addition, in order to provide legal protection to the victims' interests, the diversion may only be exercised in the event of a criminal offense whose penalty imprisonment is under 7 (seven) years. This is done because it is considered a criminal threat over 7 (seven) years classified as a serious crime and losses suffered by the victim is difficult to recover.

In the provision of Article 8 paragraph (1) of Law Number 11 Year 2012 on the Criminal Justice System of the Child, as a form of victim protection in the formulation of diversion enforcement policy, the diversion agreement can only be agreed upon in obtaining the consent of the victim and / or the child's family and the child's willingness and his family. This means that the victim's interest in the diversionary application remains in the interest of providing the best protection for the victim's own interests. In addition, the regulation of indemnification in the enforced diversion is expected to suffer losses suffered / experienced by the victim.

In the formulation policy of diversion with restorative

approach, it has characteristics that in achieving the objective of imposing sanctions, victims are entitled to be actively involved in the judicial process. Indicators of achieving the objectives of sanctions are said to be achieved by looking at whether the victim has been restored, the victim's satisfaction, the amount of compensation, the perpetrator's awareness of his actions, the number of repair agreements made, the quality of the work service and the whole process taking place. In the imposition of sanctions include perpetrators, victims, communities and law enforcers actively. The perpetrator works actively to restore the victim's loss, and face the victim / vicar. The victim is active in all stages of the process and will assist in the determination of sanctions for the offender. Communities are involved as mediators, assisting victims and supporting the fulfillment of the perpetrators' duty (Wahyudi, 2011: 163-164).

The concept of restorative justice, the process of solving the lawlessness action that occurs is done by bringing the victim and the perpetrator (suspect) together sitting in a meeting to get together to talk. In the meeting, the mediator gives an opportunity to the perpetrator to give a clear picture of the action he has done. The perpetrator who exposes the party desperately expects the victim to be able to accept and understand the conditions and causes why the perpetrator committed a crime that caused the loss to the victim. Furthermore, in the explanation the perpetrator also explained about how he was responsible for the victim and the community for the deeds he had done. As long as the perpetrator describes the actions he has committed the victim must listen carefully to the explanation of the perpetrator. Subsequently the victim may respond to the perpetrator's explanation. In addition, there are also community representatives representing the interests of the community. The representatives of the community provide an illustration of the harm caused by the crime committed by the perpetrator. In his explanation, the public expects that the perpetrator to do an act or action to recover the destruction / damage that has occurred because of his actions (Marlina, 2012: 180-181) ^[9].

If examined, the policy of formulation of diversified enforcement in the criminal justice system with victim protection theories, according to the policy writer of the formulation of diversified versions of the child criminal justice system has been in accordance with the victim protection theories themselves. This can be proven as follows:

a. Utility Theory

This theory focuses on the greatest benefit for the greatest number. The concept of providing protection to crime victims can be applied as long as it provides greater benefits than not applying the concept, not only to crime victims, but also to the overall criminal law enforcement system. Diversity in the criminal justice system provides considerable benefits, not only providing protection for the victims' interests, but protecting the interests of children in conflict with the law and protecting the interests of the people who are affected by the crime.

b. The theory of responsibility

In essence the legal subject (person or group) is responsible for all legal acts done so that if a person commits an offense

that causes other people to suffer losses (in the broad sense), the person should be responsible for the harm caused, unless there is a reason free him. Diversity in the juvenile criminal justice system provides an opportunity for children in conflict with the law to admit their mistakes and be directly responsible for recovering the losses suffered by the victims and the communities involved in experiencing shocks resulting from the crime.

c. Heory of damages

As a manifestation of responsibility due to his or her fault with others, the offender is liable to compensate the victim or his / her heirs. In the diversion agreement one form of agreement that can be taken is peace with compensation. The perpetrator of a criminal offense in this case a child in conflict with the law provides compensation to the victim / his heirs for the loss he suffered as a result of his actions.

To verify whether the diversified version of the diversification policy in the criminal justice system has provided protection against the victims' interests, it can also be assessed using victim protection theories, it can also be assessed whether the formulation policy of diversified versions of the child criminal justice system has met the principles of victim protection itself. At least in the concept of legal protection against victims of crime, contained 4 (four) legal principles that require attention, namely the principle of benefit, the principle of justice, the principle of equilibrium and the principle of legal certainty (Mansur and Gultom, 2008: 162) ^[5. 6]. According to the authors, the policy on the formulation of diversified enactment in the criminal justice system of children has met the principles of legal protection against victims of crime, this can be proven as follows:

a. The principle of benefit

This means that the victim protection is not only intended for the achievement of benefit (both material and spiritual) for the victims of crime, but also the benefit for the community at large. The enactment of diversion in the criminal justice system can benefit the wider community, not only for the interests of the perpetrator in this case the child in conflict with the law, the victim's interest, but also the protection of the public interest suffered by the shock caused by a crime. Protection against the interests of the community is done with the involvement of the community in the implementation of diversion programs in the criminal justice system of children.

b. The principle of justice

That is, the application of the principle of justice in an effort to protect victims of crime is not absolute because it is limited also by a sense of justice that must be given to the perpetrators of crime. The diversionary enforcement in the criminal justice system seeks to find the best solution in solving the problem so that the interests of all parties can be protected, not only the interests of the victim of the crime but the offender in this case the child in conflict with the law can get protection.

c. The principle of balance

Because the legal objectives in addition to providing legal certainty and protection of human interests, as well as to restore the balance of disturbed social order to the original state (*restitutio in integrum*), the principle of equilibrium

obtains an important place in the recovery of the rights of victims. Diversion using the restorative justice approach is a criminal justice approach to finding a fair solution by emphasizing restoration of the original state rather than retaliation (Hiariej, 2014: 36).

d. The principle of legal certainty

This principle may provide a strong legal foundation for law enforcement officers while carrying out their duties in an effort to provide legal protection to victims of crime. With the regulation of the enactment of the diversion in Law Number 11 Year 2012 on the Criminal Justice System of the Child will provide a strong legal foundation for law enforcement officers to carry out their duties, especially in relation to the implementation of this diversion is something that must be attempted in the criminal justice system of children.

The description shows that the formulation policy of diversion in the juvenile justice system has provided protection to the victims' interests. In order to fulfill the protection aspect of the victim, in the formulation of diversified enforcement policy in the criminal justice system, the diversion process must involve the victim and / or parent / guardian, the diversion process shall take into account the victim's interest, and the diversion process shall have the consent of the victim. In addition, the regulation of compensation that can be obtained by the victim is the aspect of victim protection in the formulation of diversion enforcement policy in the criminal justice system. The aspect of victim protection in the formulation of diversified enforcement policy can be seen from the arrangement of the following articles:

- a. Article 8 Paragraph (1) states that "the diversion process is conducted through consultation with the involvement of children and parents / guardians, victims and / or parents / guardians, social guidance and professional social workers based on a restorative justice approach".
- b. Article 8 Paragraph (3) Sub-Paragraph a states that "the diversion process shall pay attention to the interests of the victim".
- c. Article 9 Paragraph (2) states that "the diversion agreement shall be subject to the consent of the victim and / or the family of the child of Koraban and the willingness of the child and his family, except for: offenses in the form of an offense; minor crime; a criminal offense without a victim; or the value of the victim's loss is no more than the minimum wage value of the province"
- d. Article 10 Paragraph (2) Sub-Paragraph a states that "the diversion agreement as referred to in paragraph (1) shall be conducted by the investigator upon the recommendation of the guidance counselor shall be in the form of a return of loss in the event of a victim".

The benefits shown by the existence of diversion in the criminal justice system on the one hand provide protection to children in conflict with the law but on the other hand does not exclude the interest of the victim of the crime itself. Diversi conducted to find a form of settlement of the win win solution (Marlina 2012: 73) ^[9].

According to the authors, the concept of protecting the interests of victims in the formulation of diversified enforcement policies in the criminal justice system lies in the

approach used. In this case, the approach used in the diversified version formulation policy is to use the restorative justice approach. With this approach all the good interests of victims, perpetrators and communities are given protection. This is because the main point of this approach is to find the best solution to solve the problem by emphasizing the restoration of the original state.

The concept of restorative justice has a framework in the search for alternative solutions to criminal cases committed by children without criminal penalties. The alternative of settlement is done as an effort to create humane justice. The settlement still gives the rights of individual perpetrators and victims in mediation as central to the implementation of restorative justice (Marlina, 2012: 23-24) ^[9].

5. Conclusion

Legal protection of victim interest in the diversion effort based on Law Number 11 Year 2012 on Child Criminal Justice System lies in the shifting of approach in criminal justice system, from retributive justice to restorative justice. In order to fulfill the protection aspect of the victim's interest, in the formulation policy of diversion enforcement can be realized by the arrangement of the diversion process must involve the victim and / or parent / guardian, the diversion process shall pay attention to the victim's interest, the diversion process shall obtain the consent of the victim and the existence of the compensation arrangement which can be obtained by the victim is an aspect of protection against the interests of the victim.

6. References

1. Andi Hamzah. *Perlindungan Hak-Hak Asasi Manusia dalam Kitab Undang-Undang Hukum Acara Pidana*, Bina Cipta, Bandung, 1986.
2. Arif Gosita. *Masalah Korban Kejahatan*, Akademika Pressindo, Jakarta, 1985.
3. Bambang Waluyo. *Viktimologi Perlindungan Korban dan Saksi*, Sinar Grafika, Jakarta, 2012.
4. Bambang Waluyo. *Penelitian Hukum Dalam Praktek*, Sinar Grafika, Jakarta, 1991.
5. Dikdik M. Arief Mansur dan Elisatris Gultom. *Urgensi Perlindungan Korban Kejahatan antara Norma dan Realita*, Raja Grafindo Persada, Jakarta, 2008.
6. Dikdik M. Arief Mansur dan Elisatris Gultom. *Urgensi Perlindungan Korban Kejahatan antara Norma dan Realita*, Raja Grafindo Persada, Jakarta, 2008.
7. Eddy OS. Hiariej. *Prinsip-Prinsip Hukum Pidana*, Cahaya Atma Pustaka, Yogyakarta, 2014.
8. Maya Indah S. *Perlindungan Korban (Suatu Perspektif Viktimologi dan Krimonologi)*, Kencana Prenada Media Group, Jakarta, 2014.
9. Marlina. *Peradilan Pidana Anak Di Indonesia*, Refika Aditama, Bandung, 2012.
10. Muladi. *Hak Asasi Manusia, Politik Dan Sistem Peradilan Pidana*, Badan Penerbit Universitas Diponegoro, Semarang, 1997.
11. Mudzakkir. *Kedudukan Korban Tindak Pidana Dalam Sistem Peradilan Pidana Indonesia Berdasarkan KUHP Dan RUU KUHP*, Jurnal Ilmu Hukum. Maret, Yogyakarta, 2011; 14(1).
12. Setya Wahyud. *Implementasi Ide Diversi Dalam Pembaharuan Sistem Peradilan Pidana Anak Di Indonesia*, Genta Publishing, Yogyakarta, 2011.
13. Siswanto Sunarso. *Viktimologi dalam Sistem Peradilan Pidana*, Sinar Grafika, Jakarta Timur, 2012.
14. Soerjono Soekanto dan Sri Mamudji. *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, Raja Grafindo Persada, Jakarta, 2010.
15. Undang-Undang Nomor 31 Tahun tentang Perubahan atas Undang-Undang Nomor 13 Tahun tentang Perlindungan Saksi dan Korban, 2014-2006.
16. Undang-Undang. Nomor 11 Tahun tentang Sistem Peradilan Pidana Anak, 2012.