

ABSTRAK

Adapun tujuan yang hendak dicapai dalam penelitian ini adalah untuk menganalisis dan mendeskripsikan prosedur formal dan implementasi nyata Diversi oleh Aparat Penegak Hukum di Medan Marelan terhadap kasus kekerasan dan perkelahian ABH sesuai mandat UU SPPA dan peraturan terkait, untuk mengidentifikasi dan mengkaji secara mendalam faktor-faktor yuridis dan sosiologis yang menjadi kendala maupun pendorong optimalisasi Diversi di lingkungan APH dan masyarakat Medan Marelan, dan untuk mengukur dan menganalisis efektivitas Diversi dalam mewujudkan prinsip Keadilan Restoratif, khususnya terkait pemulihan korban dan pembinaan tanggung jawab anak pelaku. Jenis penelitian yang diterapkan adalah Yuridis Empiris (Penelitian Hukum Sosiologis atau Socio-Legal Research). Hasil penelitian menunjukkan bahwa pelaksanaan Diversi oleh Aparat Penegak Hukum di Medan Marelan pada kasus kekerasan dan perkelahian Anak Berhadapan dengan Hukum (ABH) belum berjalan optimal sesuai amanat UU SPPA dan prinsip Keadilan Restoratif. Tawuran remaja terbukti merupakan bentuk penyimpangan sosial yang dipelajari melalui interaksi intensif dalam kelompok sebaya sebagaimana dijelaskan dalam Teori Differential Association. Faktor solidaritas kelompok, tekanan teman sebaya, pencarian identitas, dan pengaruh media sosial menjadi pendorong utama terjadinya kekerasan remaja, sedangkan lemahnya pengawasan keluarga, sekolah, dan masyarakat menjadi kendala dalam optimalisasi Diversi. Meskipun Diversi berperan dalam mendorong pemulihan korban dan pembinaan tanggung jawab anak pelaku, efektivitasnya masih dipengaruhi oleh faktor yuridis dan sosiologis di lingkungan masyarakat. Oleh karena itu, diperlukan pendekatan komprehensif melalui penguatan pendidikan karakter, pendampingan psikososial, serta keterlibatan aktif keluarga, sekolah, masyarakat, dan aparat penegak hukum dalam mencegah tawuran remaja dan mewujudkan keadilan restoratif.

Kata Kunci: Restorative Justice, Anak Berhadapan dengan Hukum (ABH), Kekerasan Anak, Perkelahian Remaja, Diversi, Sistem Peradilan Pidana Anak

ABSTRACT

The objectives of this study are to analyze and describe the formal procedures and actual implementation of Diversion by law enforcement officers in Medan Marelan in handling cases of violence and fighting involving Children in Conflict with the Law (ABH) in accordance with the Juvenile Criminal Justice System Law (UU SPPA) and related regulations; to identify and examine in depth the juridical and sociological factors that become obstacles and supporting factors in optimizing Diversion within law enforcement agencies and the community of Medan Marelan; and to measure and analyze the effectiveness of Diversion in realizing the principles of Restorative Justice, particularly regarding victim recovery and the development of responsibility among child offenders. The type of research applied in this study is Empirical Juridical Research (Sociological Legal Research or Socio-Legal Research). The results of the study indicate that the implementation of Diversion by law enforcement officers in Medan Marelan in cases of violence and fighting involving Children in Conflict with the Law (ABH) has not yet been carried out optimally in accordance with the mandate of the Juvenile Criminal Justice System Law and the principles of Restorative Justice. Juvenile brawls are proven to be a form of social deviance learned through intensive interaction within peer groups, as explained by the Differential Association Theory. Factors such as group solidarity, peer pressure, identity seeking, and the influence of social media are the main drivers of juvenile violence, while weak supervision from families, schools, and communities constitutes an obstacle to the optimization of Diversion. Although Diversion plays a role in encouraging victim recovery and fostering responsibility among child offenders, its effectiveness is still influenced by juridical and sociological factors within society. Therefore, a comprehensive approach is needed through strengthening character education, psychosocial assistance, and the active involvement of families, schools, communities, and law enforcement officers in preventing juvenile brawls and realizing restorative justice.

