

IMPLEMENTATION OF SPECIAL CHILD SERVICE ROOMS IN THE INVESTIGATION OF CHILDREN IN CONFLICT WITH THE LAW

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Abstract

The purpose of this study is to analyze the implementation of the Special Service Room for Children in the Investigation of Children in Conflict with the Law at the Rokan Hilir Police, to analyze the obstacles to the implementation of the Special Service Room for Children in the Investigation of Children in Conflict with the Law at the Rokan Hilir Police, and to analyze efforts to overcome obstacles in the implementation of the Special Service Room for Children in the Investigation of Children in Conflict with the Law at the Rokan Hilir Police. The method used is sociological legal research. Based on the results of the study, it is known that the Implementation of the Special Service Room for Children in the Investigation of Children in Conflict with the Law at the Rokan Hilir Police that the special service room for children at the Rokan Hilir Police has not run as it should be mandated by Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, this is because there is no special service room for children in the investigation of children in conflict with the law. This room is not only a place for examination, but also a place for protection and psychological recovery for children. Obstacles are budget limitations and physical infrastructure limitations, lack of competent human resources, weak coordination between institutions, and the lack of collective awareness of the community about the importance of a just legal approach to children.

Keywords : Implementation, Special Service Room for Children, Investigation

INTRODUCTION

UNICEF defines a child in conflict with the law as an individual under the age of 18 who is involved in the criminal justice system because they are suspected or accused of committing a criminal offense (Pramukti & Primaharsya, 2015). In the context of children in conflict with the law, KBBI (the Great Dictionary of the Indonesian Language) does not provide a specific definition. The definition of a child in conflict with the law largely refers to Law No. 11 of 2012 concerning the Juvenile Criminal Justice System, stating that a child in conflict with the law is a child who is 12 (twelve) years old but has not yet reached 18 (eighteen) years of age and is suspected of committing a criminal act. The term "child in conflict with the law" replaces the term "juvenile delinquency" used in Law of the Republic of Indonesia Number 3 of 1997 concerning Juvenile Courts.

Every child has the right to freedom in accordance with the law. The arrest, detention, or criminal sanction of a child can only be carried out in accordance with applicable law and only as a last resort. Legal protection for children is an effort to protect various freedoms and human rights of children (Arif, 1998). Forms of legal protection for children include assistance from community officers, shorter detention periods compared to adults, facilities provided by law enforcement officials specifically for children, and the separation of child detainees from adult detainees, which is one form of legal protection for children.

Criminal acts committed by children always draw criticism towards law enforcement officials, who are often considered by many to disregard the proper procedures for handling children in conflict with the law. There is an impression that they are frequently treated as "miniature adults" who commit criminal offenses. The criminal justice system, even today, sometimes still treats children involved as perpetrators of criminal acts in the same way it treats adult offenders. Children are placed in a position as criminals who deserve the same punishment as adults, and this applies in Indonesia.

Punishment itself is more oriented towards the individual perpetrator, or what is commonly called individual responsibility, where the perpetrator is viewed as an individual capable of taking full responsibility for their actions. However, children are individuals who cannot fully comprehend their actions or deeds, due to their immature cognitive development. Therefore, treating children the same as adults is concerning, as it may lead the child to quickly imitate the behavior of those around them.

Observing the negative effects of the criminal justice system on children shows that the handling by law enforcement officials for child offenders through punitive measures has been deemed ineffective. If a child commits a criminal act and goes through the judicial process, they should rightfully receive special and different treatment from adults. However, in reality, children in conflict with the law often receive worse treatment than adults. It is said that the majority of children in conflict with the law actually experience violence during the criminal justice process (Adi, 2009). It can be said that the child criminal justice process often focuses only on formal law enforcement and does not prioritize the child's best interests (Adi, 2009).

In the child criminal justice system, children are categorized as children in conflict with the law, child victims, and child witnesses in criminal acts. A child in conflict with the law is a child who is 12 years old but has not yet reached 18 years of age and is suspected of committing a criminal offense. A child victim is a child under 18 (eighteen) years of age who experiences physical or mental suffering and/or economic loss due to a criminal act. A child witness is a child under 18 (eighteen) years of age who can provide information for the purpose of legal proceedings from the investigation, prosecution, and court trial stages concerning a criminal case that they heard, saw, and/or experienced.

Children sentenced to imprisonment by a court decision are placed in a Special Child Development Institution (LPKA). Such children have the right to services, care, education and training, guidance and assistance, and other rights in accordance with the provisions of laws

and regulations. The term "child correctional facility" (Lapas Anak) is no longer recognized in the Juvenile Criminal Justice System Law (UU SPPA) as a replacement for Law No. 3 of 1997 concerning Juvenile Courts (UU Pengadilan Anak). Based on Article 1 paragraph 20 of the UU SPPA, LPKA is an institution or place where children serve their sentences. Every Lapas Anak must change its system to become a Special Child Development Institution (LPKA) within a maximum of 3 (three) years, in accordance with this law. In implementing this, LPKA officers must prioritize the principles of the Juvenile Criminal Justice System, which include:

1. Protection
2. Justice
3. Non-discrimination
4. The best interests of the Child
5. Respect for the Child's opinion
6. Survival and development of the Child
7. Guidance and counseling for the Child
8. Proportionality
9. Deprivation of liberty and punishment as a last resort
10. Avoidance of retaliation.

The embodiment of justice is where the exercise of rights and obligations is balanced. The rights and obligations of children who commit criminal acts need assistance and protection to ensure they are balanced and humane. Children's obligations must be treated in accordance with their situation, mental and physical condition, social circumstances, and capabilities at a certain age.

The position of children in the criminal justice process is very important; therefore, their rights and obligations need to be regulated. Children have the right to know about the criminal act they are suspected of and the right to be accompanied by legal counsel at every stage of the criminal justice process. The handling of child cases tends to leave a stigma on the child, from the investigation stage (suspect), prosecution (defendant), trial, to the execution of the sentence (convict). This is very detrimental to the child.

The phenomenon of Children in Conflict with the Law (CICL) is an important issue in the context of law enforcement because children, as part of a vulnerable group, require different treatment compared to adults in legal proceedings. This aims to ensure that children's rights are protected and are not affected by stigma or negative impacts that could hinder their future development.

In Indonesia, attention to child protection in legal proceedings is regulated by Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). This law provides a strong legal basis for handling children in conflict with the law, prioritizing a more humane, rehabilitative approach aimed at the child's best interests. One aspect regulated in this law is investigation, which is the first stage in the criminal justice process. At this stage, children in conflict with the law should receive special treatment, including placement in child-friendly environments, such as special child service rooms in police stations, as stipulated in Article 30 paragraph 2 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Article 30 paragraph 2 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System explains that children who are arrested must be placed in a special child service room. This provision emphasizes that children must receive special treatment from the early stages of the criminal justice process, including at the time of arrest. Placement in a special child service room is an embodiment of the principle of the child's best interests and the principle of non-discrimination in criminal justice.

The importance of establishing special child service rooms emerges as an effort to provide optimal protection for children during the investigation process. The special child service room at Rokan Hilir Polres, for example, is designed to provide a more comfortable and

secure atmosphere for children so they do not feel pressured or threatened during questioning. This is crucial given that children are more vulnerable to psychological and physical pressure than adults. With these special rooms, it is hoped that children can undergo the legal process without losing their rights, and the investigation process can proceed in accordance with existing regulations.

If a criminal act is committed by a child before turning 18 and brought to court after the child has passed the age of 18 but has not reached 21, the child will still be brought to the juvenile court (UU, 2012). Furthermore, if a child under 12 years old commits or is suspected of committing a criminal act, the investigator and community supervisor will decide whether to hand the child over to parents/guardians or include them in an education and guidance program at a government institution or social welfare agency that handles social welfare (UU, 2012).

A special child service room is not only understood as a physical space separate from adult detention but also as a space that provides a psychological and social approach to children undergoing legal processes. At Rokan Hilir Polres, the implementation of this policy demonstrates a progressive step by the police in fulfilling the mandate of the law. Children who are arrested or detained are placed in special facilities tailored to their needs. These rooms are usually more child-friendly, equipped with bright colors, educational tools, and officers competent in accompanying children.

The function of the special child service room at Rokan Hilir Polres can also be seen as part of an effort to realize restorative justice. Children who commit legal offenses are not merely processed for punishment but are encouraged to acknowledge their mistakes, apologize, and be given the opportunity to improve themselves. This special service room becomes a place where mediation, psychological assistance, and even family counseling can occur, all conducted in a conducive atmosphere.

RESEARCH METHODS

The type of this research is sociological legal research, which discusses the topic above. Thus, the author is interested in discussing this paper in a thesis titled "Implementation of Special Child Service Rooms in the Investigation of Children in Conflict with the Law at Rokan Hilir Polres." Sociological legal research aims to understand how law operates within society. By doing so, the researcher is expected to uncover the effectiveness of legal enforcement in society and identify unwritten laws that are applicable within the community.

RESULT AND DISCUSSION

A. Law Enforcement Against Physical Domestic Violence in the Area of Implementation of Special Child Service Rooms in the Investigation of Children in Conflict with the Law at Rokan Hilir Polres

Children in conflict with the law refers to those under 18 years of age who are involved in the criminal justice system due to alleged or accused legal violations. In accordance with UNICEF and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA) in Indonesia, this definition applies to children who are at least 12 years old but have not yet reached 18 years of age. This definition emphasizes the importance of differentiating legal treatment between children and adults, and providing an approach that is appropriate to the developmental stage and special needs of children.

Special child services in the investigation process refer to a series of actions and procedures designed to protect the rights of children involved in criminal acts, either as perpetrators or victims. The goal is to ensure that the legal process for children is carried out fairly, humanely, and in accordance with the child's best interests (Mulyadi, 2005).

The police, as the frontline law enforcement apparatus and the first to come into contact with perpetrators of criminal acts, are often accused of committing many human rights violations in law enforcement. In an effort to provide protection guarantees to every member of society and respect these human rights, as well as in the context of law enforcement, a good relationship between police officers and the community is very important. In a democratic society, police officers and the community work together to ensure the safety and protection of every member of society, including women, men, and children (boys and girls).

As a tangible manifestation of the implementation of children's rights, the Indonesian government has established the National Commission for Child Protection, as well as independent child protection agencies, with a mandate to protect children from all forms of abuse and violations of their rights. As a realization, the government has also established Law Number 35 of 2014 concerning Child Protection and, specifically for children who are perpetrators of a criminal act, the government has established Law Number 11 of 2012 concerning Juvenile Justice (Saraswati, 2015).

In the context of investigating children as perpetrators of a criminal act, the investigator needs to take appropriate steps before conducting the investigation. The police (investigator) need to conduct a preliminary inquiry before investigating a criminal act. The position of investigator according to Article 1 point 1 of the Criminal Procedure Code (KUHAP) states that an investigator is an official of the State Police of the Republic of Indonesia or certain civil servants who are given special authority by law to conduct investigations. This statement in the KUHAP provides the main tasks that investigators must carry out to handle criminal acts received, whether caught red-handed, through complaints, or reports. In addition, the KUHAP also grants the investigator the following authorities (Johan, 2019):

1. Arrest.
2. Detention.
3. Conducting examination at the crime scene.
4. Conducting searches.
5. Conducting suspect examination and interrogation.
6. Preparing official investigation reports (BAP).
7. Conducting seizures.
8. Delegating cases.

Broadly speaking, these tasks of the investigator consist of field operations and legal administration tasks. In conducting investigations of children as perpetrators of crimes, an investigator must understand the Juvenile Criminal Procedure Law as stipulated in Law Number 11 of 2012 concerning Juvenile Justice, because here the investigator's task will be faced with matters related to the enforcement of Children's Human Rights. The substance regulated in the Juvenile Criminal Justice System Law includes the placement of children undergoing legal proceedings, who can be placed in Special Child Development Institutions (Tahir, 2010). The most fundamental substance in this law is the explicit regulation of Restorative Justice and Diversion, which are intended to avoid and keep children away from the judicial process, thereby avoiding stigmatization of children in conflict with the law, and it is hoped that children can return to a normal social environment. This is among what is stated in the General Explanation section of the Juvenile Criminal Justice System Law. Restorative Justice is a Diversion process, where all parties involved in a particular criminal act together resolve the problem and create an obligation to make things better by involving victims, children, and the community in finding solutions for reparation, reconciliation, and appeasement that are not based on retaliation. Diversion is the transfer of child case resolution from the criminal justice process to processes outside the criminal justice system. Its basic principles are (Saraswati, 2015):

1. Child Protection
Children must be protected from the negative impacts of legal processes, such as torture, cruel treatment, and discrimination.
2. Best Interests of the Child
All actions in the investigation process must consider the best interests of the child, including the right to grow and develop, education, and participation.
3. Diversion and Restorative Justice
The juvenile justice system encourages diversion efforts (transfer of legal processes) and restorative justice (restoring relationships between perpetrators, victims, and society).

Implementation of Special Services:

1. Separation
Children must be separated from adults in the investigation process.
2. Special Investigation
The investigation process must be carried out with a different approach, considering the child's age, maturity, and needs.
3. Child Rights
Children have the right to legal assistance, psychological support, and clear information about the ongoing legal process.
4. Family Involvement
The child's family must also be involved in the investigation process to provide support and ensure the fulfillment of the child's rights.
5. Evidence-Based Handling
Investigations must be based on valid and relevant evidence, carefully considering the child's statements.
6. Identity Disclosure
The identity of children involved in criminal acts must be protected from mass media publication.

Investigator's Role:

1. Investigators play an important role in the child investigation process, including conducting inquiries, gathering evidence, and examining children.
2. Investigators must have a good understanding of the juvenile criminal justice system and child protection principles.
3. Investigators must also be able to communicate well with children and their families.

Special Services in Child Investigations (Saraswati, 2015):

1. Inquiry and Investigation
 - a. Investigators are obligated to conduct inquiries and investigations with due regard for children's rights.
 - b. Investigators need to conduct inquiries and investigations in accordance with applicable procedures and ensure that children do not experience pressure or intimidation.
 - c. Investigators also need to cooperate with social workers or social welfare personnel to obtain social reports about the child.
2. Arrest and Detention
 - a. Arrest of children is only permitted if there is sufficient initial evidence and in urgent circumstances.
 - b. Detention of children must be carried out for the shortest possible time and in a place separate from adults.
 - c. Investigators are obligated to provide clear information to the child about their rights.
3. Examination
 - a. Examination of children must be conducted in a child-friendly manner, considering the child's age and psychological development.

- b. Examinations should ideally be conducted in a safe and comfortable place for the child, accompanied by a trusted party.
- c. Investigators also need to consider using aids such as pictures or toys to assist the child in providing information.
4. Diversion and Restorative Justice
 - a. Diversion is an effort to resolve child cases outside the criminal justice system, focusing on victim restoration and child reintegration.
 - b. Restorative justice is an approach that involves victims, perpetrators, families, and the community in finding solutions to the criminal acts committed.
5. Legal Aid and Assistance
 - a. Children in conflict with the law have the right to free legal aid.
 - b. Assistance from social workers or social welfare personnel is also needed to help children in facing the legal process and recovery.
6. Identity Protection
 - a. The identity of children in conflict with the law, both as perpetrators and victims, must be protected from mass media publication.
 - b. The aim is to avoid stigma and discrimination against children (Saraswati, 2015).

Investigators have a central role in providing special services to children in the investigation process. Investigators must have a good understanding of children's rights, the principles of juvenile criminal justice, and applicable procedures. Investigators must also be able to communicate well with children, and cooperate with related parties, such as social workers, psychologists, and prosecutors. It is important to remember that special child services in the investigation process are not only a legal obligation but also a moral responsibility to protect the nation's future generation. Special child services in the investigation process aim to provide justice for children and ensure that they have the opportunity to recover and develop in the future. The juvenile criminal justice system must be able to have a positive impact on children, not just impose punishment (Saraswati, 2015). The purpose of the SPPA Law is to provide special protection for children in conflict with the law, whether as perpetrators, victims, or witnesses of criminal acts. A child is defined as someone under 18 years of age. The SPPA Law emphasizes the importance of separating children from adults in the judicial process, including in placement. The SPPA Law also regulates the Temporary Child Placement Institution (LPAS) and the Special Child Development Institution (LPKA). LPAS is a temporary place for children during the judicial process, while LPKA is where children serve their sentences. In addition, the SPPA Law guarantees children's rights in the criminal justice system, including the right to legal aid, the right not to be sentenced to death or life imprisonment, and the right to be treated humanely.

1. Government Regulation Number 65 of 2015 This regulation governs the guidelines for diversion implementation and the procedures and coordination of its implementation.
2. Regulation of the Supreme Court of Indonesia Number 1 of 2014 concerning Guidelines for Providing Legal Services for Indigent Communities in Court also relates to child protection in the justice system.

Key points related to special room placement (Saraswati, 2015):

1. Separation
Children in conflict with the law must be separated from adults at every stage of the judicial process, including in placement.
2. LPAS
The Temporary Child Placement Institution (LPAS) functions as a temporary shelter for children involved in legal processes, before and during trial.

3. LPKA

The Special Child Development Institution (LPKA) is where children serve their sentences, designed to provide guidance and education so that children can return to society with adequate preparation.

4. Investigators, Prosecutors, and Judges:

Investigators, prosecutors, and judges are obligated to provide special protection to children who are examined for criminal acts.

5. Legal Aid:

Children have the right to legal aid and to be accompanied by a community supervisor or companion.

Thus, the SPPA Law and its derivative regulations are the main legal basis for the implementation of the juvenile criminal justice system, including in the placement of special child service rooms. The juvenile criminal justice system is the entire process of resolving cases of children in conflict with the law from the investigation stage to the guidance stage after undergoing the criminal process, based on protection, justice, non-discrimination, the best interests of the child, respect for the child, survival and development of the child, proportionality, deprivation of liberty and punishment as a last resort, and avoidance of retaliation (Prakoso, 2013).

In the juvenile criminal justice system, children are classified as children in conflict with the law, child victims, and child witnesses in criminal acts. A child in conflict with the law is a child who is 12 years old but has not yet reached 18 years of age and is suspected of committing a criminal offense; a child victim is a child under 18 (eighteen) years of age who experiences physical, mental, and/or economic suffering due to a criminal act; a child witness is a child under 18 (eighteen) years of age who can provide information for the purpose of legal proceedings from the investigation, prosecution, and court trial stages concerning a criminal case that they heard, saw, and/or experienced; if a criminal act is committed by a child before turning 18 and brought to court after the child has passed the age of 18 but has not reached 21, the child will still be brought to the juvenile court.

Based on Article 1 paragraph 3 of the SPPA Law, a child is defined as someone in a criminal case who is already 12 years old but has not yet reached 18 years of age and is not married. If a child is 14 years old or older, they may be detained under certain conditions in accordance with the provisions of the law. Detention of children is sought as a last resort (*ultimum remedium*), and the treatment given to them is different from adults, such as being placed in special child institutions. Meanwhile, for children under 14 years old, detention is not a priority action. The legal process for these children is more focused on rehabilitative and restorative approaches, where diversion is a priority. Diversion aims to keep children out of the judicial process, if possible, and provide an opportunity for self-improvement without undergoing detention. Thus, the background for detaining children who are 14 years old or older is more emphasized on considerations of the child's cognitive maturity, albeit with special treatment and legal protection. Whereas for children who have not reached the age of 14, detention is an avoided effort, with a focus on rehabilitation and protection of children's rights. Furthermore, if a child under 12 years old commits or is suspected of committing a criminal act, the investigator and community supervisor will decide whether to hand the child over to parents/guardians or include them in an education and guidance program at a government institution or social welfare agency that handles social welfare (Pramukti & Primaharsyah, 2015).

The government has carefully designed laws regarding how children should be treated, especially children in conflict with the law. In this regard, the government has enacted several laws to pay more attention or prioritize attention to children in conflict with the law, for example, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, which was

enacted 2 years from the date of its promulgation. In addition, there is also Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. Furthermore, the guidance of child inmates in correctional facilities is regulated in Law Number 12 of 1995 concerning Corrections, which explains that convicted children are placed in Juvenile Correctional Facilities. As stipulated in Article 30 of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, as follows: 1) The arrest of a child is carried out for investigative purposes for a maximum of 24 (twenty-four) hours. 2) Children who are arrested must be placed in a special child service room. 3) If there is no special child service room in the relevant area, the child is entrusted to an LPKS (Temporary Child Placement Institution). 4) The arrest of a child must be carried out humanely, taking into account needs appropriate to their age. 5) The costs for every child placed in an LPKS are borne by the budget of the ministry that organizes government affairs in the social sector (Abdussalam & Desasfuryanto, 2016).

Explanation of Article 30 Paragraph (1) of the SPPA Law states that the arrest of a child can only be carried out for investigative purposes and must not exceed 24 hours. This provision differs from the arrest of adults, which in criminal procedure law can be carried out for a longer period. This reflects that children, although involved in criminal acts, are still seen as individuals who are in a developmental stage, so the treatment of them must be adapted to child protection principles. Investigative Interest: The arrest of children in the context of investigation is carried out to ensure that the legal process continues in accordance with the principles of justice, without neglecting the protection of the child.

In this regard, law enforcement officials are obliged not only to prioritize justice for victims but also to protect the rights of children who are facing the law. This 24-hour time limit aims to avoid potential human rights violations against children that could occur if they are detained for a longer period (Sutatiek, 2015). In general, children in adult correctional facilities are at risk of experiencing trauma and other psychological problems because the correctional facility environment is not suitable for their growth and development needs. Children placed in adult correctional facilities can experience significant mental and emotional pressure. The atmosphere in correctional facilities tends to be harsh, full of conflict, and there is a potential for physical or psychological violence. Children who are still in a vulnerable stage of mental development can experience trauma due to witnessing or becoming victims of violence in correctional facilities, which can lead to post-traumatic stress disorder (PTSD). Children in adult correctional facility environments are influenced by the negative behavior of adult inmates. There is a risk that children will adopt deviant behaviors, such as aggression, violence, or criminal behavior, as a survival mechanism. The influence of adult inmates can also cause children to lose healthy moral values and instead become individuals who are further from rehabilitation. Therefore, in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA) in Indonesia, it is emphasized that children in conflict with the law should not be placed together with adult inmates. Special child institutions, such as the Special Child Development Institution (LPKA), are provided to ensure that children receive the guidance, rehabilitation, and education they need without the negative impact of an adult environment.

Special Child Rooms, such as the Women and Child Service Unit (PPA), play an important role in providing psychological protection for child victims of violence or crime. Special Child Rooms provide services that focus on trauma recovery, fulfilling children's rights, and ensuring safety during the legal process.

The role of Special Child Rooms in the psychological protection of children is as follows (Wajdi, 2012):

1. Provision of a Safe Environment

Special Child Rooms create a safe and comfortable space for children to talk about their traumatic experiences without fear or stigma.

2. Psychological Assistance
Special Child Rooms provide psychological services by experts to help children overcome the emotional and psychological impacts of the violence they have experienced.
3. Rehabilitation
Special Child Rooms assist children in the rehabilitation process, including trauma recovery, fulfillment of basic needs, and reintegration into society.
4. Identity Protection
Special Child Rooms maintain the confidentiality of child victims' identities to protect them from stigma and further potential harm.
5. Counseling and Education
Special Child Rooms also play a role in providing counseling and education to the public about children's rights and the importance of protection.
6. Coordination with Related Agencies
Special Child Rooms coordinate with various related agencies, such as the police, child protection agencies, and hospitals, to ensure comprehensive handling for children (Wajdi, 2012).

The purpose of psychological protection for children is to minimize the negative impact of violence on children's psychological development, such as trauma, anxiety, depression, and behavioral problems; to help children regain self-confidence, self-esteem, and their ability to interact socially in a healthy way; and to provide continuous psychological support to help children recover from traumatic experiences and continue life normally.

With integrated efforts and support from various parties, Special Child Rooms can play an optimal role in providing the psychological protection needed by child victims of violence, helping them recover and grow into healthy and empowered individuals.

Children, as part of the Indonesian nation, who are also the nation's future generation, have a constitutional right to receive protection by the State. The State's protection of children's rights in this country's constitution is affirmed in Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia (hereinafter referred to as UUD NRI 1945), which reads, "Every child has the right to survival, growth and development, and has the right to protection from violence and discrimination" (Mulyadi, 2005).

The mechanism for implementing litmas and assessment, planning of final guidance stage programs, implementation of final guidance stage programs, and evaluation of final guidance stage programs refers to litmas recommendations, program planning, program implementation, and program evaluation at the final guidance stage. Each institution must appoint several specially trained guardians/caregivers. Caregivers are officers from the guidance section appointed by the head to care for children and provide support for the implementation of guidance and care program plans prepared by case managers for the individualism of child care. The role of guardians/caregivers is to help children identify and meet the goals set in the case management plan, and also in applying for leave or for complaint processes, early release, and to assist children in general for any identifiable needs. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law) is the legal basis that provides protection for children in conflict with the law in Indonesia. This law aims to ensure that children involved in the legal process are treated in accordance with human rights protection principles, with an emphasis on rehabilitation and social reintegration, not merely punishment. One important point in the SPPA Law is the obligation to provide special rooms for children involved in the legal process. The implementation of Special Child Service Rooms in the investigation of children in conflict with the law at Rokan Hilir Polres is a form of the police institution's commitment to realizing a juvenile criminal justice system that is just and prioritizes the best interests of the child. This is in line with the mandate of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (UU SPPA), which emphasizes the

importance of special treatment for children in legal processes, considering the psychological and social conditions of children who are still in the developmental stage. Special child service rooms are a crucial aspect for creating a friendly, safe, and non-intimidating examination atmosphere, to protect children's rights during the investigation process.

In its implementation, the special child service room at Rokan Hilir Polres has been actively used by the Women and Child Protection Unit (PPA) in various cases involving children, with the aim of creating a safe, comfortable, and non-traumatic environment for children. This room is not just an ordinary examination place, but is part of a system oriented towards restorative justice and child protection. Although there are still challenges such as limited human resources and facilities, the commitment from the police institution and related agencies is an important asset in continuously improving services for children in conflict with the law. These efforts not only play a role in fair law enforcement but also reflect a shared awareness that children are national assets that must be protected and nurtured for a better future.

B. Obstacles in the Implementation of Special Child Service Rooms in the Investigation of Children in Conflict with the Law at Rokan Hilir Polres

Indonesia adheres to an Integrated Criminal Justice System, which is the legal spirit of the Criminal Procedure Code (KUHAP). This integration is philosophically an instrument to realize the national goals of the Indonesian nation as formulated by The Founding Fathers in the 1945 Constitution, namely to protect society (social defense) in order to achieve social welfare (Atmasasmita, 2002).

The criminal justice system is a crime control system consisting of institutions of police, prosecution, courts, and penal institutions (Reksodiputro, 1993). It is also stated that the criminal justice system is a system in a society to deal with crime (Atmasasmita, 2002). Lapatra states that from the criminal justice system, there are four functional components that are always interconnected and coordinated, having a unified perception and common goal, namely the effort to combat crime (Lapatra, 1978).

The commonly recognized components of the criminal justice system, both in the knowledge of criminal policy and in law enforcement practice, consist of the police, prosecution, courts, and correctional institutions (Lapatra, 1978). The police are a subsystem in the criminal justice system that significantly determines the success and overall operation of the system in providing services to the community. This is because the police are the subsystem that directly interacts with perpetrators of criminal acts and the community, so the duties and responsibilities of the police can be said to be greater than other subsystems. The police are a government body tasked with maintaining public security and order (arresting people who violate laws) or can also be interpreted as members of a government body (civil servants tasked with maintaining public security and order) (Kelana, 1994).

As one of the law enforcement apparatus, the police derive their authority from Law Number 2 of 2002 concerning the State Police of the Republic of Indonesia, which regulates the rights and obligations of the police. In the vision of professional law enforcement, the police are seen as a very important entry point for the criminal justice system. In this regard, the police act as gatekeepers who manage the first step in bringing the power of criminal law to bring offenders into the Criminal Justice System (Darmawan and Oli'i, 2015).

It must be acknowledged that problems in the field of criminal law continue to evolve over time and are not balanced with the development of our own criminal law in the form of currently applicable legislation. Various problems that arise must be handled seriously with the intention of restoring the situation in society to what it was before the occurrence of a criminal act.

The understanding of Indonesian society identifies the resolution of legal problems with law enforcement officials, including the police, prosecutors, and judges. All three are part of the criminal justice system. The resolution of criminal cases by the community is pursued through the justice system regulated by the KUHAP. However, the outcome of this justice system often does not necessarily guarantee a sense of justice in society. People feel that the severity of the sentence handed down by the judge to the defendant does not reflect balance or restore the social situation in the community.

According to Satjipto Rahardjo, resolving cases through a judicial system that culminates in a court verdict is a slow path to law enforcement. This is because law enforcement involves various levels, namely the police, prosecution, and courts, which can also be divided into two levels: *judex factie* (fact-finder) and *judex jurist* (law-interpreter). Regarding the resolution of child cases, lately, crimes are often committed by underage children. Criminal cases involving children as main perpetrators are very important and require special handling. In essence, children cannot protect themselves from various actions that cause mental, physical, and social harm in various aspects of life and livelihood (Gultom, 2013).

In conducting investigations of child cases, investigators are obligated to seek consideration or advice from community supervisors after a criminal act is reported or complained about. If deemed necessary, investigators may seek consideration or advice from education experts, psychologists, psychiatrists, religious figures, Professional Social Workers or social welfare personnel, and other experts (Hamzah, 2012).

In examining child victims and child witnesses, investigators are obligated to request a social report from Professional Social Workers or social welfare personnel after the criminal act is reported or complained about. The results of the community research must be submitted by Bapas (Correctional Board) to the investigator within a maximum of 3 x 24 (three times twenty-four) hours after the investigator's request is received (Harahap, 2009).

The arrest of a child is carried out for investigative purposes for a maximum of 24 (twenty-four) hours. Children who are arrested must be placed in a special child service room. The arrest of a child must be carried out humanely, taking into account needs appropriate to their age.

The police interview and investigation stages are important for criminal cases committed by children. Interviews with child offenders are conducted continuously among parents, witnesses, and other necessary or case-related individuals. Children being interviewed must be accompanied by parents/guardians, relatives, caregivers, social workers, and so on (Hamzah, 2012).

A Special Child Service Room in the investigation process is a dedicated room in a police station designed to provide safe and comfortable protection and handling for children involved in legal processes, whether as perpetrators, victims, or witnesses of criminal acts. This special room aims to ensure that children's rights are met and they are treated humanely during the investigation process.

Characteristics of a Special Child Service Room (Aziz, 2011):

1. Separate Room
The Special Child Service Room must be separate from general detention areas and designed to create a conducive environment for children.
2. Appropriate Facilities
The Special Child Service Room is equipped with facilities appropriate to children's needs, such as a playroom, consultation room, and comfortable waiting area.
3. Accompaniment
The Special Child Service Room provides accompaniment from officers trained in child handling, including psychologists or social workers.
4. Appropriate Information Delivery

Information related to the legal process is conveyed to children in an easy-to-understand manner and appropriate to their age.

Importance of Special Child Service Rooms:

1. **Prevention of Exploitation:** Special Child Service Rooms help prevent exploitation and violence against children during the legal process.
2. **Fulfillment of Child Rights:** Special Child Service Rooms ensure that children's rights, such as the right to protection, the right to education, and the right to information, are fulfilled.
3. **Child Recovery:** Special Child Service Rooms play a role in the recovery of children involved in legal issues, helping them return to society in a better way.

With the existence of Special Child Service Rooms, it is hoped that the investigation process for children can run more effectively, fairly, and in the best interests of the child. In the context of child criminal law enforcement, Indonesia has committed to child protection through various regulations, especially Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. This law emphasizes the importance of special treatment for children in conflict with the law, whether as perpetrators, victims, or witnesses. One concrete manifestation of this commitment is the provision of Special Child Service Rooms within police environments. However, its implementation at the regional level, especially at Rokan Hilir Polres, faces a number of significant obstacles.

Obstacles in the implementation of Special Child Service Rooms in the investigation of children in conflict with the law at Rokan Hilir Polres are real challenges faced by law enforcement officials on the ground. Although substantively, the existence of this room represents progress in the juvenile criminal justice system, in practice there are still a number of obstacles that affect the effectiveness of its functions.

Based on the author's observations in the field, the obstacles to the Implementation of Special Child Service Rooms in the Investigation of Children in Conflict with the Law at Rokan Hilir Polres are limited budget and physical infrastructure, lack of competent human resources, weak inter-agency coordination, and the undeveloped collective awareness of the community about the importance of a just legal approach to children.

Children undergoing legal processes are very psychologically vulnerable, and if they are not given the proper space to tell their story or defend themselves, the legal process will not only violate the principles of child justice but also potentially cause long-term trauma. Therefore, the implementation of Special Child Service Rooms should not be understood merely as the provision of a physical space, but also as a comprehensive commitment to creating a safe, educational, and child-friendly examination environment.

C. Efforts to Overcome Obstacles in the Implementation of Special Child Service Rooms in the Investigation of Children in Conflict with the Law at Rokan Hilir Polres

The duties and functions of the National Police in the Juvenile Criminal Justice System encompass several important aspects, including handling cases of children in conflict with the law, preventing juvenile delinquency, and implementing diversion and other efforts focused on the best interests of the child. In addition, the functions of the National Police in the juvenile criminal justice system also include maintaining security and order, enforcing the law, and providing protection, nurturing, and services to the community, especially in handling children in conflict with the law. The National Police play an important role in the investigation process, with efforts to prevent, protect, and handle children in conflict with the law. It is important to note that in the juvenile criminal justice system, the handling of children in conflict with the law must prioritize the best interests of the child, with efforts for rehabilitation and social reintegration.

The police, as the gatekeeper who determines whether a criminal act can be handed over to the next stage, must be more transparent regarding the transfer of criminal cases to the Prosecutor's Office. There needs to be openness if a case is not continued to the Prosecutor's Office. If this continues to be allowed, then perpetrators whose cases are not continued to the Prosecutor's Office, as well as the public who are aware of this, will no longer fear the sanctions for gambling. Conversely, if the Police are firm and courageous in transferring all cases they handle according to the applicable legal process, then perpetrators and the public in general will be encouraged not to commit criminal acts.

A Special Child Service Room, often also called the Women and Child Service Unit (UPPA), is a special room within the police environment designed to provide safe and comfortable protection and services for children in conflict with the law, both as victims and perpetrators of criminal acts. Its purpose is to ensure that these children receive their rights, receive treatment appropriate to their age and condition, and are protected from trauma and other negative impacts resulting from facing legal processes (Sadjijono, 2006).

In Indonesia, the government has shown commitment to protecting children from various forms of violence through various policies and regulations, such as Law Number 23 of 2002 concerning Child Protection which has been updated to Law Number 35 of 2014. In addition, law enforcement officials such as the police have an important role in combating acts of violence against children. In this regard, the Women and Child Service Unit (UPPA) under the auspices of the police has a strategic task to provide legal protection, handle cases of violence against children, and support victim recovery.

The role of the Special Service Room (RPK) unit is very important in helping to handle victims and as a starting point for uncovering a case. The name of the Special Service Room unit was changed to the Women and Child Service (PPA) unit based on Police Chief Regulation Number 10 of 2007 concerning the Organization and Work Procedures of the Women and Child Service Unit within the Indonesian National Police. A Special Child Service Room is:

1. Special Place: A separate room specifically designed to provide services to children involved in legal cases.
2. Safe and Comfortable: This room is designed to create a safe, comfortable, and child-friendly atmosphere, so that they feel protected and not intimidated.
3. Child-Focused: The services provided are aimed at meeting the special needs of children, both as victims and perpetrators of crimes.
4. Collaboration with Female Police Officers: This room is usually operated by female police officers (Polwan) who have special expertise and sensitivity in handling child cases.

The main objectives of the Special Child Service Room are:

1. To protect children from acts of violence, exploitation, and discrimination.
2. To ensure that children receive their rights as children, such as the right to education, health, and legal protection.
3. To provide treatment appropriate to the child's age, developmental stage, and special needs, whether as a victim or perpetrator.
4. To prevent negative impacts that may arise from the legal process on children, such as trauma and stigmatization.
5. To create a fair legal process that prioritizes the best interests of the child.
6. To strive to prevent crimes against children and help children who are potentially perpetrators of crimes to return to the right path.
7. To build trust between children and law enforcement officials, as well as the wider community.
8. To implement diversion mechanisms (transfer of child judicial processes) and mediation to resolve child cases out of court if possible.

With the existence of Special Child Service Rooms, it is hoped that children in conflict with the law can receive optimal protection and services, and have the opportunity to grow and develop healthily and normally.

Regarding the Juvenile Criminal Justice System, its process mechanism still has to go through formal processes like adults, through investigation and inquiry by the police, prosecution by the prosecutor's office, and trial in court. This long formal process has given rise to several thoughts from both academics and law enforcement officials to find the best alternative handling for children by keeping them as far as possible from the formal justice system. Children have specific rights that are different from adult rights; this is because children are very vulnerable to violence, mistreatment, and exploitation (Rochaeti, 2015). Various criminal cases involving children facing the law are actual and factual problems as social and criminal phenomena that have caused concern among parents in particular, and the community in general, as well as law enforcement (Sosiawan, 2016).

Forms of criminal and unlawful acts commonly committed by children include theft, drug abuse, fights, sexual harassment, traffic violations, and assault, up to murder cases and motorcycle gang crimes (begal) where the perpetrators are children. According to Anderson's cognitive neo-associationist model theory and general affective aggression model (GAAM) theory, the causes of aggressive behavior are unpleasant or disturbing situations, and the presence of individual and situational factors that can interact with each other to influence a person's internal condition. There is a correlation between affective, cognitive, and arousal aspects that react and process existing stimuli and give rise to negative feelings, as well as the role of cognitive processes in determining the behavior exhibited. Activation of one component will activate other components which then determine a person's response to the encountered stimulus. A person's thoughts and interpretations of external events also greatly affect their emotional function and behavior. Aggressive behavior is not only triggered by events in the individual's external environment but also arises from how these events are received and cognitively processed (Alifah, Prihartanti, & Rosyidi, 2015).

In line with the issuance of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), which includes the obligation to prioritize a Restorative Justice and Diversion approach. Diversion aims to transfer the resolution of child cases from the criminal justice process to processes outside the criminal justice system, as stated in Article 1 paragraph 7 of the SPPA Law. The diversion process can be carried out for children who are threatened with imprisonment for less than 7 (seven) years; and it is not a repeated criminal act. During the diversion process, they need to receive protection and their rights so that they can grow and develop optimally without violence and discrimination. In this regard, they need to receive special protection, including obtaining protection and assistance from professional personnel such as Social Workers. As mandated in Article 59A of the Child Protection Law, special protection for children in conflict with the law is carried out through efforts:

1. Rapid handling, including physical, psychological, and social treatment and/or rehabilitation, as well as prevention of diseases and other health disorders;
2. Psychosocial assistance from treatment to recovery;
3. Provision of social assistance for children from disadvantaged families; and
4. Provision of protection and assistance in every judicial process.

A Special Service Room (RPK) is a room provided in police stations that aims to provide special services and protection to women and children who are witnesses, victims, or suspects in a case, especially cases of violence. RPK is designed as a safe and comfortable place so that they feel protected and calm when giving statements or undergoing examination.

To realize a restorative justice-based child criminal justice system, concrete steps are needed to overcome existing obstacles in the implementation of Special Child Service Rooms at Rokan Hilir Polres. Obstacles that are structural, cultural, and human resources-related must

be handled comprehensively so that children in conflict with the law receive optimal protection in accordance with the mandate of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Based on the author's observations in the field, the efforts to overcome obstacles in the implementation of Special Child Service Rooms in the investigation of children in conflict with the law at Rokan Hilir Polres include: a special budget for improving the quality of child examination room facilities and infrastructure that meet child-friendly standards, increasing the capacity of investigators through special training on handling children in conflict with the law, tightening supervision over investigation procedures to comply with juvenile justice standards, and public awareness and education about the importance of special treatment for children in legal processes are also part of efforts to overcome obstacles in the implementation of Special Child Service Rooms.

With these steps, obstacles in the implementation of Special Child Service Rooms at Rokan Hilir Polres can be overcome gradually and sustainably. All parties must work collectively so that the juvenile criminal justice system is truly able to protect, foster, and rehabilitate, not just punish and stigmatize. Because the future of these children is the shared responsibility of all elements of the nation.

CONCLUSIONS

The implementation of Special Child Service Rooms in the investigation of children in conflict with the law at Rokan Hilir Polres has not proceeded as mandated by Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. This is because there are currently no dedicated special child service rooms for the investigation of children in conflict with the law. This room is not merely an examination space; it's also a place for protection and psychological recovery for children.

The obstacles to the implementation of Special Child Service Rooms in the investigation of children in conflict with the law at Rokan Hilir Polres include limited budget and physical infrastructure, a lack of competent human resources, weak inter-agency coordination, and an undeveloped collective community awareness regarding the importance of a just legal approach to children.

Efforts to overcome these obstacles in the implementation of Special Child Service Rooms in the investigation of children in conflict with the law at Rokan Hilir Polres include securing a special budget for improving the quality of child examination facilities and infrastructure to meet child-friendly standards. This also involves enhancing the capacity of investigators through specialized training on handling children in conflict with the law, tightening supervision over investigation procedures to align with juvenile justice standards, and providing public awareness and education on the importance of special treatment for children in legal processes.

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