



THE CONCEPT OF LEGAL JUSTICE FOR CHILDREN AS PERPETRATORS OF CRIMINAL ACTS OF NARCOTICS DISTRIBUTION (A Study of Decisions of The Medan District Court)

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Abstract

This study examines the concept and implementation of legal justice for children involved in narcotics trafficking offenses within the Indonesian juvenile criminal justice system. Narcotics possess legitimate medical and scientific functions; however, their abuse and illegal distribution have resulted in serious social consequences, including the involvement of children as couriers or intermediaries in narcotics distribution networks. Children involved in such cases are generally not principal offenders, but rather victims of criminal exploitation, thereby requiring special legal protection based on the principle of the best interests of the child and restorative justice mechanisms. This research applies a normative legal research method through statutory and case approaches using descriptive-qualitative analysis. The findings reveal significant disparities in sentencing practices in several decisions of the Medan District Court involving children convicted of narcotics trafficking offenses. Despite similarities in the type of offense, category of narcotics, and quantity distributed, the punishments imposed varied considerably. The study concludes that judicial discretion, prosecutors' indictments, subjective judicial considerations, and limited rehabilitation facilities remain dominant factors influencing court decisions. Therefore, strengthening juvenile justice regulations, improving law enforcement capacity, and providing adequate rehabilitation facilities are necessary to ensure optimal child protection and sustainable social reintegration.

Keywords: Narcotics; Child Protection; Juvenile Criminal Justice System; Legal Justice; Narcotics Trafficking

INTRODUCTION

Narcotics are substances or pharmaceutical products that may originate from plants, other natural materials, or be chemically produced, such as synthetic and semi-synthetic compounds, which have effects on the central nervous system. These substances can affect a person's level of consciousness, reduce or eliminate pain, and suppress responses to certain stimuli. In medical practice and scientific research, narcotics play a highly important role because of their therapeutic benefits. For example, their effects are often utilized in surgical procedures to help patients remain unconscious and reduce pain during operations as well as throughout the recovery process. Therefore, the circulation of narcotics in Indonesia is not entirely prohibited, as long as they are used for legitimate medical purposes and in accordance with applicable regulations as stipulated in Law Number 35 of 2009 concerning Narcotics.¹

The abuse and illegal trafficking of narcotics have become serious challenges in Indonesia, considering their extensive impact on social structures, public health, and national security stability. In an effort to evade supervision by law enforcement authorities, narcotics trafficking networks frequently involve children as couriers or facilitators in distributing illegal substances. A lack of understanding regarding the dangers of narcotics, combined with limited ability to resist external pressure and economic factors, makes children and adolescents highly vulnerable to being secretly recruited by drug syndicates. This reality is deeply concerning because the involvement of

¹Bastianto Nugroho and Daniel Susilo, "Problems of Law Enforcement in Narcotics Abuse Crimes within the Jurisdiction of Surabaya City," *Justitia Law Journal*, Vol. 2 No. 2 (2018), p. 234.

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children in such criminal activities risks trapping them in a cycle of narcotics-related crimes that may destroy their future.² Children in conflict with the law, including those suspected of involvement in narcotics trafficking, should fundamentally be viewed as individuals entitled to special protection, considering their psychological and social vulnerability as well as the strong external influences affecting them.³ This conception is in line with the regulatory framework stipulated in Law Number 35 of 2014 concerning Child Protection⁴ and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.⁵ Both regulations emphasize that the best interests of the child must serve as the primary guideline at every stage of the legal process.

In judicial practice, particularly in cases involving children in narcotics trafficking, the interpretation and application of the principle of justice often become matters of debate. On the one hand, narcotics trafficking is regarded as a serious crime that threatens the sustainability and welfare of future generations, thereby requiring firm and consistent legal action. On the other hand, when the defendant is a child, the legal response must differ from that applied to adults by taking into account the child's psychological maturity and overall best interests. The interaction between the need for strict law enforcement and the responsibility to protect children's rights creates a central dilemma in achieving justice.

As a judicial institution authorized to adjudicate narcotics cases, including those involving children, the Medan District Court holds a strategic role in realizing the values of legal justice. Judicial decisions concerning children in conflict with the law in narcotics cases may serve as indicators of the extent to which child protection principles and restorative justice approaches are implemented in judicial practice. However, in reality, disparities in justice still exist in several cases. This is due to dominant factors influencing judicial decisions, such as judicial discretion, prosecutors' indictments, and subjective considerations.

Based on this analysis, conducting in-depth research regarding the conceptual framework of legal justice for children in conflict with the law in narcotics trafficking cases, as well as its implementation in the decisions of the Medan District Court, has become increasingly urgent. This research aims to provide a comprehensive evaluation of the conformity between existing positive legal provisions and their realization in judicial practice. Furthermore, the findings of this research are expected to serve as a reference for judicial practitioners in constructing a juvenile criminal justice system that upholds justice and human dignity while simultaneously supporting the sustainable development and welfare of children.

RESEARCH METHODS

This study employs a normative legal research design, emphasizing the analysis of legal principles embodied in statutory regulations and court decisions concerning children allegedly involved in narcotics trafficking offenses. The research applies two main approaches: the statutory approach, which examines the applicable legal framework and regulatory provisions, and the case-based approach, which focuses on an in-depth analysis of court decisions as the primary object of study.

The legal materials used as references in this research are categorized into three levels: primary, secondary, and tertiary sources. The primary sources consist of two principal regulations, namely Law Number 11 of 2012 concerning the Juvenile Criminal Justice System and Law Number 35 of 2009 concerning Narcotics, as well as several jurisprudential decisions of the Medan District Court related to children involved in narcotics trafficking offenses.⁶ Secondary legal sources include academic materials such as textbooks, scholarly journal articles that have undergone peer-review processes to ensure academic quality, and various other scientific literatures that possess substantial relevance to the focus and scope of the research. Meanwhile, tertiary legal sources encompass supplementary reference materials such as legal terminology dictionaries and juridical encyclopedias, which play

²Mhd. Teguh Syuhada Lubis, "Sentencing System for Child Narcotics Dealers through Training Punishment," *EduTech Journal*, Vol. 6 No. 1 (2020), p. 27.

³Epan Apanda and Noor Azizah, "Legal Protection for Victims of Sexual Harassment on Social Media from the Perspective of Islamic Criminal Law", *ISTINBATH: Journal of Law*, Vol 20 No. 02, (2023), p. 127.

⁴ Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection, State Gazette of the Republic of Indonesia of 2014 Number 297, Supplement to the State Gazette of the Republic of Indonesia Number 5606.

⁵ Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, State Gazette of the Republic of Indonesia of 2012 Number 153, Supplement to the State Gazette of the Republic of Indonesia Number 5332.

⁶ Law Number 35 of 2009 concerning Narcotics, State Gazette of the Republic of Indonesia of 2009 Number 143, Supplement to the State Gazette of the Republic of Indonesia Number 5062.

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an important role in clarifying definitions, resolving ambiguities, and strengthening the understanding of various legal concepts and juridical constructions operationalized within the analytical framework of this study.

The analysis of legal materials in this research is conducted qualitatively using a descriptive-analytical method. Through this technique, the researcher first describes and interprets the applicable legal provisions, and subsequently relates them to the juridical facts reflected in court decisions. This process aims to obtain a comprehensive understanding, thereby enabling the formulation of relevant conclusions in addressing the research problems that have been established.

RESULTS AND DISCUSSION

A. The Concept of Legal Justice for Children as Perpetrators of Narcotics Trafficking Crimes

In narcotics trafficking cases, children are often not the principal perpetrators, but rather parties exploited by drug trafficking networks that take advantage of their lack of knowledge and vulnerable conditions for personal gain. The conceptualization of legal justice for children possesses characteristics that are fundamentally different from the concept of justice applied to adult offenders. This difference is rooted in the reality that children are still in the process of development in psychological, social, and emotional dimensions and have not yet reached full maturity.⁷ Therefore, they require special and distinctive handling mechanisms within the criminal justice system.⁸ The conceptual framework of justice for children is built upon two main pillars: the principle of child protection as vulnerable subjects, and the principle of prioritizing the best interests of the child, both of which have been codified in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.⁹

The concept of justice for children in cases involving children as perpetrators of narcotics trafficking offenses may be based on several statutory regulations that serve as the principal legal frameworks in the enforcement of legal justice. Legal justice itself refers to all matters that are in accordance with the provisions established by statutory regulations, thereby ensuring impartial treatment, commonly referred to as equality before the law, as well as fair legal certainty and non-arbitrary law enforcement.¹⁰ Therefore, the conceptual framework of justice for children in this context is grounded in the applicable legal regulations.¹¹ In cases involving children as perpetrators of narcotics trafficking offenses, the legal regulations governing the concept of justice are contained in Law Number 35 of 2009 concerning Narcotics, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, and Law Number 35 of 2014 concerning Child Protection.

The criminal offense of narcotics trafficking under Law Number 35 of 2009 concerning Narcotics is regulated in Article 114 paragraph (1), which states: "Any person who without rights or unlawfully offers for sale, sells, purchases, receives, acts as an intermediary in the sale and purchase, exchanges, or delivers Category I narcotics shall be punished with life imprisonment or imprisonment for a minimum of 5 (five) years and a maximum of 20 (twenty) years, as well as a fine of at least Rp1,000,000,000.00 (one billion rupiah) and a maximum of Rp10,000,000,000.00 (ten billion rupiah)." This provision constitutes the primary legal basis declaring that the illegal distribution of narcotics is a criminal act.

In Law Number 35 of 2009, several provisions are also explained regarding criminal acts committed by narcotics traffickers, as follows:¹²

- Articles 2
The Narcotics Law is based on Pancasila and the 1945 Constitution of the Republic of Indonesia.
- Articles 3
The implementation of the Narcotics Law shall be based on the following principles:
 - a. Justice

⁷Sri Anggini Lubis and Abd. Mukhsin, "The Qualification of JarimahTa'zir for Child Exploitation: A Case Study of Forced Labor at the MuaraParlampungan GoldMine", *SIGn Journal of Law*, Vol. 7 No. 2 (2025), p. 713.

⁸Siti Hajar Harahap, "Law Enforcement Against Perpetrators of Child Exploitation Through Social Media", *Legal Standing: Journal of Legal Science*, Vol 8 No. 2 (2024), p. 402.

⁹AnggaraSetiawan and Djoko Sumaryanto, "Protection for Children in Conflict with the Law," *DEKRIT Journal of Master of Legal Studies*, Vol. 12 No. 1 (2022), p. 41.

¹⁰Shafira Utami and Zulkarnain, "Implementation of Criminal Sanctions Against Child Victims of Narcotics Abuse (Case Study at LPKA Class I Medan)", *Pelita Law Journal*, Vol 3 No. 2, (2025), p. 289.

¹¹Hurairah et al., "The Impact of Sentencing on Children in Conflict with the Law Who Commit Narcotics Crimes," *JurnalIlmiahKutei*, Vol. 24 No. 2 (2025), p. 199.

¹²Republic of Indonesia, Law Number 35 of 2009 concerning Narcotics, State Gazette of the Republic of Indonesia Year 2009 Number 143, Supplement to the State Gazette of the Republic of Indonesia Number 5062.

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- b. Protection
- c. Humanity
- d. Orderliness
- e. Safeguarding
- f. Security
- g. Scientific Values
- h. Legal Certainty.
- Articles 4
The objectives of the Narcotics Law are:
 - c. To eradicate the illicit trafficking of narcotics and narcotics precursors.
- Articles 5
The regulation of Narcotics under this Law includes all forms of activities and/or actions related to Narcotics and Narcotics Precursors.
- Articles 6
(1) Narcotics as referred to in Article 5 are classified into:
 - a. Group I Narcotics
 - b. Group II Narcotics
 - c. Group III Narcotics
- Articles 119
Any person who, without rights or unlawfully, offers for sale, sells, purchases, receives, acts as an intermediary in the sale and purchase, exchanges, or delivers Group II narcotics shall be punished with imprisonment for a minimum of 4 (four) years and a maximum of 12 (twelve) years, and a fine of at least Rp800,000,000.00 (eight hundred million rupiah) and at most Rp8,000,000,000.00 (eight billion rupiah).
- Articles 124
Any person who, without rights or unlawfully, offers for sale, sells, purchases, receives, acts as an intermediary in the sale and purchase, exchanges, or delivers Group III narcotics shall be punished with imprisonment for a minimum of 3 (three) years and a maximum of 10 (ten) years, and a fine of at least Rp600,000,000.00 (six hundred million rupiah) and at most Rp5,000,000,000.00 (five billion rupiah).

However, when the perpetrators are children, the implementation of justice enforcement must comply with the principles contained in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.¹³ These principles are regulated in Article 2 letters (a) to (j), which provide that: “The Juvenile Criminal Justice System shall be implemented based on the following principles:

- a. Protection;
- b. Justice;
- c. Non-discrimination;
- d. The best interests of the child;
- e. Respect for the opinions of the child;
- f. The survival and development of the child;
- g. Guidance and mentoring of the child;
- h. Proportionality;
- i. Deprivation of liberty and punishment as a measure of last resort; and
- j. Avoidance of retaliation.”

Law Number 11 of 2012 also explains several provisions regarding children suspected of committing criminal offenses, as follows :¹⁴

- Articles 1
In this Law, what is meant by :

¹³Rabiathul Adawiyah Nasution and Seva Maya Sari, “Law Enforcement Against Children as Criminal Perpetrators The Brawi, In Percut Sei Tuan From the Perspective of Criminal Law and Islamic Criminal Law”, *Journal Analytica Islamica*, Vol. 14 No. 2 (2025), p. 1534.

¹⁴ Republic of Indonesia, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, State Gazette of the Republic of Indonesia Year 2012 Number 153, Supplement to the State Gazette of the Republic of Indonesia Number 5332.

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- (3) A Child in Conflict with the Law, hereinafter referred to as a Child, is a person who has reached the age of 12 (twelve) years but has not yet reached the age of 18 (eighteen) years and is suspected of committing a criminal offense.
- Articles 3
Every child in the criminal justice process has the right to:
 - a. Be treated humanely in accordance with his or her age and needs
 - b. Be separated from adults
 - c. Obtain legal assistance and other effective aid
 - d. Engage in recreational activities
 - e. Be free from torture, cruel, inhuman, or degrading treatment or punishment
 - f. Not be sentenced to death or life imprisonment
 - g. Not be arrested, detained, or imprisoned except as a last resort and for the shortest possible time
 - h. Obtain justice before an objective and impartial juvenile court in a closed hearing
 - i. Have his or her identity protected from publication
 - j. Receive assistance from parents/guardians and trusted persons
 - k. Obtain social advocacy
 - l. Enjoy privacy rights
 - m. Obtain accessibility, especially for children with disabilities
 - n. Receive education
 - o. Obtain health services
 - p. Obtain other rights in accordance with statutory regulations
 - Articles 18
In handling cases involving Children, Child Victims, and/or Child Witnesses, Community Counselors, Professional Social Workers, Social Welfare Workers, Investigators, Public Prosecutors, Judges, and Advocates or other legal aid providers are obliged to prioritize the best interests of the Child and maintain a family-oriented atmosphere.
 - Articles 19
 - (1) The identity of Children, Child Victims, and/or Child Witnesses must be kept confidential in both print and electronic media coverage
 - (2) The identity referred to in paragraph (1) includes the name of the Child, the Child Victim, the Child Witness, the names of parents, addresses, faces, and other information that may reveal the identity of the Child, Child Victim, and/or Child Witness.
 - Articles 79
 - (1) A sentence involving the restriction of liberty shall be imposed when a Child commits a serious criminal offense or a criminal offense accompanied by violence.
 - (2) The sentence involving the restriction of liberty imposed on a Child shall not exceed one-half (½) of the maximum term of imprisonment prescribed for an adult offender.
 - (3) Special minimum provisions regarding imprisonment shall not apply to a Child.

In addition, the conceptual framework of justice for children as perpetrators of narcotics trafficking offenses also takes into consideration the provisions contained in Law Number 35 of 2014 concerning Child Protection. This is regulated in Article 1 paragraphs (1) and (2), which state: “1. A child is a person under 18 (eighteen) years of age, including a child still in the womb. 2. Child Protection refers to all activities aimed at guaranteeing and protecting children and their rights so that they may live, grow, develop, and participate optimally in accordance with human dignity and worth, as well as obtain protection from violence and discrimination.”

Furthermore, the protection of children from acts of narcotics distribution is specifically regulated in Article 67 of this law, which states: “Special protection for children who become victims of narcotics abuse, alcohol, psychotropic substances, and other addictive substances as referred to in Article 59 paragraph (2) letter (e), and children involved in their production and distribution, shall be carried out through supervision, prevention, treatment, and rehabilitation measures.”

Moreover, this law also regulates the prohibition against any person involving children in narcotics distribution. This is stipulated in Article 76J paragraph (1), which states: “Every person is prohibited from intentionally placing, allowing, involving, or ordering the involvement of children in the abuse, production, and distribution of narcotics and/or psychotropic substances.”

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In Islamic Criminal Law, the legal regulation concerning narcotics is not explicitly mentioned either in the Qur'an or in the Hadith. However, because the harmful effects produced by narcotics are considered similar to khamr (intoxicating substances), the law regarding narcotics is analogized (qiyās) to the law concerning khamr. Khamr is well known among Muslims as a prohibited substance for consumption. In fact, not only is it prohibited, but Allah, through the words of His Messenger, also prescribed worldly sanctions for those who consume, sell, and produce it. Islam, as the religion that perfected the previous scriptures, continues to uphold the prohibition against consuming khamr.

The prohibition of khamr is regulated in Q.S. Al-Mā'idah: 90

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ

“O you who believe, indeed intoxicants, gambling, sacrificing to idols, and divination by arrows are abominations from the work of Satan. Therefore, avoid such acts so that you may be successful”.¹⁵

In Islamic criminal law, narcotics trafficking is categorized as a ta'zīr offense, namely a crime whose punishment is not specifically prescribed in the Qur'an or Hadith. Therefore, the punishment is determined by the judge or the government for the perpetrator.

Fatwa of the Indonesian Ulema Council (Majelis Ulama Indonesia/MUI) Number 53 of 2014 explains the following:

- For individuals who produce, distribute, or use narcotics without legal authority, the Islamic legal ruling is haram, and the offense may fall under the category of al-ḥadd and/or ta'zīr.
- Individuals who produce, own, distribute, or use narcotics must be given severe sanctions because the harm caused by narcotics is considered greater than the harm caused by khamr.
- The government, particularly judges, is permitted to impose ta'zīr punishments, whether light or severe, including strict punishments against narcotics offenders.
- The government is expected not to provide leniency or sentence reductions for producers, owners, distributors, and abusers of narcotics.

Furthermore, under Islamic law, minors who have not yet reached puberty (baligh) are not burdened with criminal responsibility (taklīf). Therefore, child perpetrators involved in narcotics trafficking are not subject to the death penalty or severe punishments as applied to adults. A perpetrator of a jarīmah (criminal offense) must be someone capable of being held accountable for his or her actions, referred to as a mukallaf. According to the opinions of Abu Hanifah and Imam Malik, a person is no longer considered a child upon reaching the age of 18 years, as at that age the person is deemed capable of rational thinking, competent to act, and able to bear responsibility for his or her actions. Child offenders in Islamic criminal law are not subjected to full criminal liability because they have not yet reached puberty or are still underage. This is because children are considered not yet mature, their reasoning ability is not fully developed, and therefore their knowledge, understanding, and judgment cannot yet be regarded as perfect. Criminal responsibility is imposed only upon persons of sound mind and not upon insane persons or minors.

B. The Implementation of Legal Justice for Children as Perpetrators of Narcotics Trafficking Offenses in the Decisions of the Medan District Court

Legal justice constitutes a form of right and obligation that must be fulfilled, particularly in judicial proceedings before the court. The Medan District Court is one of the judicial institutions authorized to adjudicate various legal matters. In this regard, one of the types of cases examined by the Medan District Court involves narcotics crimes. Specifically, this research focuses on cases of narcotics trafficking offenses committed by children. Several decisions of the Medan District Court reveal cases involving children as perpetrators of narcotics trafficking offenses. The following is an analysis of several cases involving the criminal offense of narcotics trafficking committed by juveniles that were adjudicated by the Medan District Court:

¹⁵ Ministry of Religious Affairs of the Republic of Indonesia, *Al-Qur'an dan Terjemahannya*, (Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an, 2019), Q.S. Al-Mā'idah (5): 90.

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Decision Number 28/Pid.Sus-Anak/2025/PN Mdn

Analysis:

Decision Number 28/Pid.Sus-Anak/2025/PN Mdn

Facts of the Case:

The case began on Tuesday, April 15, 2025, at approximately 8:30 p.m. (WIB), when the Child was at a vacant lot located on Jalan Langgar, Tegal Sari III Village, Medan Area District, Medan City. The Child was approached by officers from the Medan Metropolitan Police (Polrestabes Medan) who had received information from the public indicating that the Child frequently engaged in narcotics transactions. The police officers then conducted an undercover operation by pretending to purchase three packages of marijuana from the Child. After the Child handed over the marijuana, the officers immediately arrested him. During the arrest, the police discovered and confiscated three plastic packages containing marijuana from the Child's right hand. The officers also found and seized an additional thirty-two plastic packages containing marijuana. The Child admitted that the three plastic packages and the thirty-two additional packages of marijuana belonged to him. He further stated that he had obtained the marijuana from an unidentified man and intended to sell it to other individuals.

Charges Filed by the Public Prosecutor:

Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Prosecutor's Demands:

1. To declare that the Child has been legally and convincingly proven guilty of committing the criminal offense of "without authority or unlawfully offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Category I narcotics," as stipulated and punishable under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.
2. To sentence the Child to imprisonment for a period of four (4) years and impose a fine of IDR 100,000,000 million rupiah), with a subsidiary sanction of participating in job training at the Social Affairs Office in Tanjung (1) month.
3. To declare the following evidence confiscated for destruction:
 - Three transparent plastic packages containing marijuana with a gross weight of 7.50 grams;
 - Thirty-two transparent plastic packages containing marijuana with a gross weight of 69.62 grams.
4. To order the Child to pay court costs amounting to IDR 5,000 (five thousand rupiah).

Judicial Considerations:

1. Regarding the indictment submitted by the Public Prosecutor, the Child understood its contents and neither the Child nor his legal counsel raised any objections.
2. To prove the charges, the Public Prosecutor presented witnesses. The Child acknowledged and did not object to their testimonies.
3. The Child gave testimony substantially consistent with his statement in the Investigation Report and admitted that he had successfully sold three packages of marijuana and would have earned a profit of IDR 250,000 (two hundred fifty thousand rupiah).
4. The Child presented a witness in his favor (a discharge witness), namely his parent/guardian.
5. The Public Prosecutor submitted documentary and physical evidence before the court.
6. Based on the evidence presented, the court established several legal facts.
7. Taking these legal facts into consideration, the panel of judges directly examined the first charge under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The court found that the following elements had been fulfilled:
 - Any person;
 - Without authority or unlawfully;
 - Offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Category I narcotics.
8. Since all elements of Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System had been fulfilled, the Child was declared legally and convincingly guilty of the criminal offense charged in the first indictment.

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9. Before imposing the sentence, the court considered both aggravating and mitigating circumstances. K
memberatkan:
Aggravating Circumstance:
- The Child's conduct was contrary to the government's efforts to eradicate narcotics trafficking.
Mitigating Circumstances:
- The Child had never previously been convicted.
- The Child was still a student.
- The Child honestly admitted his actions.
- The Child expressed remorse and promised not to repeat the offense.

Legal Basis Applied by the Court

Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics and Law Number 11 of 2012 c
Juvenile Criminal Justice System.

Court's Verdict:

1. To declare that the Child has been legally and convincingly proven guilty of committing the criminal offense of "without authority or unlawfully acting as an intermediary in the sale and purchase of, or delivering, Category I narcotics in the form of marijuana," as charged in the first indictment.
2. To sentence the Child to imprisonment for three (3) years and six (6) months and impose a fine of IDR 100,000,000 (one hundred million rupiah), with the provision that if the fine is not paid, it shall be substituted by job training at the Tanjung Morawa Social Affairs Office for one (1) month.
3. To order that the period of arrest and detention already served by the Child be deducted in full from the sentence imposed.
4. To order that the Child remain in detention.
5. To declare the following evidence confiscated for destruction:
 - Three transparent plastic packages containing marijuana with a gross weight of 7.50 grams;
 - Thirty-two transparent plastic packages containing marijuana with a gross weight of 69.62 grams.
6. To order the Child to pay court costs amounting to IDR 5,000 (five thousand rupiah).

Decision Number 46/Pid.Sus-Anak/2025/PN Mdn

Analysis:

Decision Number 46/Pid.Sus-Anak/2025/PN Mdn

Facts of the Case:

On Thursday, June 19, 2025, at approximately 5:30 p.m., witness Sunardi, witness Tohom Reymond, witness Fachri Muhammad, and witness Reinhard H. Simamora, who were police officers of the Belawan Port Resort Police, received information from the public that the Juvenile frequently conducted transactions or sold methamphetamine (shabu) in front of a stall located on Abdul Sani Mutalib Street, Yuka Complex, Neighborhood 20, Terjun Village, Medan Marelán District, Medan City. Based on this information, the witnesses conducted an investigation at the location. After identifying the Juvenile's whereabouts, they carried out a raid and successfully apprehended him. Subsequently, the officers conducted a search and found in the front left pocket of the Juvenile's trousers: one transparent plastic clip box containing methamphetamine, one plastic pipette scoop, ten empty plastic clips, and cash amounting to IDR 60,000 (sixty thousand rupiah). Following an interrogation, the Juvenile admitted that the evidence discovered by the officers belonged to him. He further stated that he had last obtained the methamphetamine from an individual known as Bembeng on Thursday, June 19, 2025, at approximately 2:00 p.m., and that payment for the narcotics would be made after the drugs had been successfully sold.

Public Prosecutor's Charge:

Article 114 paragraph (1) of Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics.

Public Prosecutor's Demand:

1. To declare that the Juvenile has been legally and convincingly proven guilty of committing the criminal offense of "without right or unlawfully offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Group I narcotics", as stipulated and punishable under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics.
2. To impose upon the Juvenile a sentence of imprisonment for 2 (two) years and 6 (six) months and job training for 3 (three) months at the Class I Medan Probation Office (Bapas).
3. To order that the following evidence:

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- One transparent plastic clip box containing methamphetamine with a net weight of 0.85 grams;
 - One plastic pipette scoop;
 - Ten empty plastic clips;
- be confiscated and destroyed.
- Cash amounting to IDR 60,000 (sixty thousand rupiah);
- be confiscated for the State.

4. To order the Juvenile to pay court costs in the amount of IDR 5,000 (five thousand rupiah).

Judicial Considerations:

1. Regarding the indictment of the Public Prosecutor, the Juvenile, through his legal counsel, did not raise any objection.
2. To prove the indictment, the Public Prosecutor presented witnesses, and the Juvenile stated that the witnesses' testimonies were accurate.
3. The Juvenile testified during the trial that the statements recorded in the Investigation Report (BAP) were given voluntarily and were subsequently signed by him.
4. The Public Prosecutor submitted documentary and physical evidence before the court.
5. Based on the evidence presented, legal facts were established.
6. Based on these legal facts, the Panel of Judges considered the primary charge under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics. The following elements were found to have been fulfilled:
 - Any person;
 - Without right or unlawfully offering for sale, selling, purchasing, receiving, or acting as an intermediary in the sale and purchase of Group I narcotics.
7. Based on the Judges' observations throughout the trial proceedings, no justifying or excusing circumstances were found that could eliminate the Juvenile's criminal liability. Therefore, the Juvenile must bear criminal responsibility for his actions.
8. The aggravating and mitigating circumstances must first be considered.

Aggravating Circumstances:

- The Juvenile's actions did not support the government's program to eradicate narcotics trafficking.
- The Juvenile's actions could damage future generations.
- The Juvenile's actions disturbed public order and caused concern within the community.

Mitigating Circumstances:

- The Juvenile behaved politely throughout the trial and openly admitted his actions.
- The Juvenile was still young and demonstrated remorse during the judicial process.

Legal Basis Applied by the Court:

Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Court Verdict:

1. To declare that the Juvenile has been legally and convincingly proven guilty of committing the criminal offense of "without right or unlawfully offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Group I narcotics."
2. To sentence the Juvenile to imprisonment for 2 (two) years and job training for 2 (two) months at the Class I Medan Probation Office (Bapas).
3. To determine that the period of arrest and detention already served by the Juvenile shall be fully deducted from the sentence imposed.
4. To order that the Juvenile remain in detention.
5. To order that the following evidence:
 - One transparent plastic clip box containing methamphetamine with a net weight of 0.85 grams;
 - One plastic pipette scoop;
 - Ten empty plastic clips;be confiscated and destroyed.
- Cash amounting to IDR 60,000 (sixty thousand rupiah);

be confiscated for the State.

6. To order the Juvenile to pay court costs in the amount of IDR 5,000 (five thousand rupiah).

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Analysis: Decision Number 55/Pid.Sus-Anak/2025/PN Mdn
Facts of the Case: On Saturday, July 26, 2025, at approximately 03:30 a.m. WIB, based on information received from the public regarding narcotics trafficking involving a child, the Belawan Port Resort Police Team conducted the arrest of the Child in Medan City. During the arrest, officers found evidence consisting of one brown “Kopi Mas” cigarette pack containing three plastic sachets of methamphetamine (shabu) and two plastic scoop-pipettes held in the hands of the Child, Ridho. The methamphetamine had been obtained by the Child from a FRIEND OF THE CHILD (wanted person/DPO) in the form of three plastic sachets containing methamphetamine, with the intention of selling them. It was agreed that if the narcotics were successfully sold, the Child would receive a profit of IDR 60,000 (sixty thousand rupiah), while the proceeds of the sale would be handed over to the FRIEND OF THE CHILD (person listed on the wanted list). In carrying out the acts of selling, purchasing, acting as an intermediary in the sale and purchase, exchanging, delivering, or receiving Class I narcotics, the Child did not possess any authorization or permit from the competent authority or the Government of the Republic of Indonesia.
Public Prosecutor’s Charge: Article 114 paragraph (1) of Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics.
Prosecutor’s Demand: <ol style="list-style-type: none">1. To declare that the Child has been legally and convincingly proven guilty of committing the criminal offense of “without right or unlawfully offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Class I narcotics,” as regulated and punishable under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics.2. To sentence the Child to imprisonment for 2 (two) years and impose a fine of IDR 1,000,000,000 (one billion rupiah), with the provision that if the fine cannot be paid, it shall be substituted by 2 (two) months of vocational work training at the Class I Medan Special Development Institution for Children (LPKA).3. To order the confiscation for destruction of the following evidence:<ul style="list-style-type: none">- Three plastic sachets containing methamphetamine with a net weight of 0.62 grams;- One brown “Kopi Mas” cigarette pack;- Two plastic scoop-pipettes.4. To order the Child to pay court costs in the amount of IDR 5,000 (five thousand rupiah).
Judicial Considerations: <ol style="list-style-type: none">1. The Child and the Child’s Legal Counsel did not raise any objections to the Prosecutor’s indictment.2. To prove the indictment, the Prosecutor presented witnesses, and the Child acknowledged that the witnesses’ testimonies were correct.3. During the trial, the Child testified that all statements contained in the Investigation Report (BAP) were true.4. The Prosecutor submitted documentary and physical evidence.5. Based on the evidence presented, the Court established the relevant facts of the case.6. Based on these facts, the Panel of Judges considered the primary charge under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The elements of the offense were found to have been fulfilled, namely: Any person;<ul style="list-style-type: none">- Without right or unlawfully;- Offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Class I non-plant narcotics.7. Since all elements of Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics were fulfilled, the Child was legally and convincingly proven guilty of committing the criminal offense as charged in the primary indictment.8. Before imposing a sentence, the Court considered both aggravating and mitigating circumstances. Aggravating Circumstance:<ul style="list-style-type: none">- The Child’s conduct did not support the Government’s program to eradicate narcotics trafficking.Mitigating Circumstances:<ul style="list-style-type: none">- The Child deeply regretted his actions and behaved politely during the trial;- The Child had never previously been convicted of a criminal offense.

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Legal Basis Applied by the Court:

Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Court's Verdict:

1. To declare that the Child has been legally and convincingly proven guilty of unlawfully selling Class I non-plant narcotics.
2. To sentence the Child to imprisonment for 1 (one) year and 6 (six) months and impose a fine of IDR 1,000,000,000 (one billion rupiah), with the provision that if the fine cannot be paid, it shall be substituted by 2 (two) months of vocational work training at the Class I Medan Special Development Institution for Children (LPKA).
3. To credit the entire period of arrest and detention already served by the Child against the sentence imposed.
4. To order that the Child remain in detention.
5. To order the confiscation for destruction of the following evidence:
 - Three plastic sachets containing methamphetamine with a net weight of 0.62 grams;
 - One brown "Kopi Mas" cigarette pack;
 - Two plastic scoop-pipettes.
6. To order the Child to pay court costs in the amount of IDR 5,000 (five thousand rupiah).

Decision Number 68/Pid.Sus-Anak/2025/PN Mdn

Analysis:

Decision Number 68/Pid.Sus-Anak/2025/PN Mdn

Facts of the Case:

On Monday, 22 September 2025, at approximately 5:30 p.m. (WIB), based on information received from the public that the juvenile frequently engaged in narcotics transactions, officers of the Medan Metropolitan Police approached the juvenile and conducted an undercover operation by pretending to purchase methamphetamine (shabu) for Rp50,000. The juvenile then handed over one plastic clip containing methamphetamine, which had been kept inside the juvenile's black wallet. At the moment the narcotics were delivered, the police officers immediately arrested the juvenile. Subsequently, the officers searched the juvenile and seized one plastic clip containing methamphetamine from the juvenile's right hand. The juvenile was then questioned by the police. During the examination, the juvenile admitted that the evidence consisting of two plastic clips containing narcotics, one empty plastic clip package used as narcotics packaging, cash amounting to Rp140,000 (one hundred forty thousand rupiah), and one black wallet belonged to the juvenile. The juvenile further explained that the two plastic clips containing narcotics were in his possession because they had been obtained from an individual named Bokir (who remains at large) for the purpose of being sold to other persons.

Article Charged by the Public Prosecutor:

Article 112 paragraph (1) of Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Prosecutor's Demand:

1. To declare that the juvenile has been legally and convincingly proven guilty of committing the criminal offense of "unlawfully possessing, storing, controlling, or providing Category I narcotics in a non-plant form," as stipulated and punishable under Article 112 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.
2. To sentence the juvenile to imprisonment for 3 (three) years and impose a fine of Rp100,000,000 (one hundred million rupiah), with a substitute penalty of job training at the Social Services Office in Tanjung Morawa for 3 (three) months should the fine remain unpaid.
3. To declare the following items as evidence:
 - 2 (two) transparent plastic clips containing methamphetamine with a net weight of 1.14 grams;
 - 1 (one) empty plastic clip package;
 - 1 (one) black wallet.
To be confiscated and destroyed.
 - Cash amounting to Rp140,000 (one hundred forty thousand rupiah).
To be confiscated for the State.
4. To order the juvenile to pay court costs in the amount of Rp5,000 (five thousand rupiah).

Judicial Considerations:

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1. The juvenile understood the charges brought by the Public Prosecutor, and neither the juvenile nor his legal counsel raised any objections thereto.
2. To prove the charges, the Public Prosecutor presented witnesses, whose testimonies were acknowledged and accepted by the juvenile without objection.
3. The juvenile confirmed the truth of his statements as recorded in the Investigation Report (BAP).
4. The juvenile did not present any witnesses in his defense (a decharge witnesses).
5. The Public Prosecutor submitted documentary and physical evidence before the court.
6. Based on the evidence presented, the court established the relevant facts of the case.
7. Upon considering these facts, the Panel of Judges directly assessed the first charge under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The following elements were found to have been fulfilled:
 - Any person;
 - Without authority or unlawfully;
 - Offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Category I narcotics in a non-plant form.
8. Since all elements of Article 114 paragraph (1) of the Narcotics Law had been satisfied, the juvenile was declared legally and convincingly guilty of the offense as charged in the first indictment.
9. Before imposing the sentence, the court considered the aggravating and mitigating circumstances.
Aggravating Circumstances:
 - The juvenile's conduct constitutes a negative example for Indonesia's younger generation and causes public concern.Mitigating Circumstances:
 - The juvenile admitted guilt, expressed remorse, confessed honestly, and behaved politely throughout the trial.
 - The juvenile had no prior criminal record.
 - The juvenile promised to reform himself and pursue a better and more independent future.

Legal Basis Applied by the Court:

Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Court Verdict:

1. To declare that the juvenile has been legally and convincingly proven guilty of unlawfully offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Category I narcotics, as charged in the first indictment.
2. To sentence the juvenile to 2 (two) years of imprisonment at the Class I Medan Juvenile Special Development Institution (LPKA) and impose a fine of Rp100,000,000 (one hundred million rupiah), with a substitute penalty of job training at the Tanjung Morawa Social Services Office for 3 (three) months should the fine remain unpaid.
3. To credit the entire period of arrest and detention already served against the sentence imposed.
4. To order that the juvenile remain in detention.
5. To order the following evidence:
 - 2 (two) transparent plastic clips containing methamphetamine with a net weight of 1.14 grams;
 - 1 (one) empty plastic clip package;
 - 1 (one) black wallet.To be confiscated and destroyed.
 - Cash amounting to Rp140,000 (one hundred forty thousand rupiah).To be confiscated for the State.
6. To order the juvenile to pay court costs in the amount of Rp5,000 (five thousand rupiah).

Decision Number 72/Pid.Sus-Anak/2025/PN Mdn

Analysis:

Decision Number 72/Pid.Sus-Anak/2025/PN Mdn

Facts of the Case:

On Friday, 17 October 2025, at approximately 07:00 a.m. (WIB), the Child purchased methamphetamine (shabu) from Rainer Setiawan (who remained at large) for Rp500,000 (five hundred thousand rupiah) on Jalan Luku V, Kwala Bekala Village, Medan Johor District. Later, at approximately 04:00 p.m. (WIB), while the

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Child was on Jalan Luku V, Kwala Bekala Village, Medan Johor District, Medan City, members of the Medan Metropolitan Police (Polrestabes Medan), acting on information from the public that the Child frequently engaged in narcotics transactions, approached the Child and conducted an undercover purchase of methamphetamine. The Child then handed over one plastic clip package containing methamphetamine. At the moment of the transaction, the police officers immediately arrested the Child. Subsequently, the officers conducted a search and discovered and seized one plastic package containing methamphetamine, three empty plastic clip packages from the left front pocket of the Child's trousers, and cash amounting to Rp50,000 (fifty thousand rupiah). The Child admitted that the two plastic packages containing methamphetamine, the three empty plastic clip packages, and the Rp50,000 cash belonged to him. The Child further stated that the methamphetamine had been obtained from Rainer Setiawan for the purpose of resale to other persons, and that the Rp50,000 constituted proceeds from the sale of methamphetamine.

Public Prosecutor's Charge:

Article 114 paragraph (1) of Law of the Republic of Indonesia Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.

Prosecutor's Demand:

1. To declare that the Child has been legally and convincingly proven guilty of committing the criminal offense of "without rights or unlawfully offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Category I narcotics," as stipulated and punishable under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.
2. To sentence the Child to imprisonment for 3 (three) years and 6 (six) months and to undergo job training at the Social Service Office in Tanjung Morawa for 2 (two) months.
3. To declare the following evidence:
 - Two plastic clip packages containing methamphetamine with a net weight of 0.30 grams;
 - Three empty plastic clip packages;confiscated for destruction.
 - Cash amounting to Rp50,000 (fifty thousand rupiah);confiscated for the State.
4. To order the Child to pay court costs in the amount of Rp5,000 (five thousand rupiah).

Judicial Considerations:

1. The Child understood the indictment submitted by the Public Prosecutor, and neither the Child nor the Child's Legal Counsel raised any objection thereto.
2. To prove the indictment, the Public Prosecutor presented witnesses, whose testimonies were acknowledged and accepted by the Child.
3. The Child confirmed the accuracy of his statements as recorded in the Investigation Report.
4. The Child did not present any exculpatory witnesses (a de charge).
5. The Public Prosecutor submitted documentary and physical evidence.
6. Based on the evidence presented, legal facts were established.
7. Having considered the established legal facts, the Panel of Judges directly assessed the first charge under Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System. The following elements were found to have been fulfilled:
 - Any person;
 - Without rights or unlawfully;
 - Offering for sale, selling, purchasing, receiving, acting as an intermediary in the sale and purchase, exchanging, or delivering Category I non-plant narcotics.
8. Since all elements of Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics in conjunction with Law Number 11 of 2012 concerning the Juvenile Criminal Justice System had been fulfilled, the Child was legally and convincingly proven guilty of committing the offense as charged in the first indictment.
9. Prior to imposing sentence, the Court considered both aggravating and mitigating circumstances.
Aggravating Circumstance:
 - The Child's conduct set a negative example for the younger generation and disturbed public order.

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<p>Mitigating Circumstances:</p> <ul style="list-style-type: none">- The Child admitted his guilt, expressed remorse, confessed honestly, and behaved politely throughout the trial.- The Child had no prior criminal record.- The Child promised to reform himself in order to achieve a better and more independent future.
<p>Legal Basis Applied by the Court:</p> <p>Article 114 paragraph (1) of Law Number 35 of 2009 concerning Narcotics and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System.</p>
<p>Court's Verdict:</p> <ol style="list-style-type: none">1. To declare that the Child has been legally and convincingly proven guilty of committing the criminal offense of "without rights or unlawfully acting as an intermediary in the sale and purchase of, or delivering, Category I non-plant narcotics," as charged in the first indictment.2. To sentence the Child to imprisonment for 2 (two) years and 6 (six) months at the Class I Medan Juvenile Special Development Institution (LPKA), and to impose a fine of Rp100,000,000 (one hundred million rupiah), with the provision that if the fine is not paid, it shall be substituted by job training at the Tanjung Morawa Social Service Office for 2 (two) months.3. To credit the period of arrest and detention already served by the Child against the imposed sentence.4. To order that the Child remain in detention.5. To declare the following evidence:<ul style="list-style-type: none">- Two plastic clip packages containing methamphetamine with a net weight of 0.30 grams;- Three empty plastic clip packages;confiscated for destruction.<ul style="list-style-type: none">- Cash amounting to Rp50,000 (fifty thousand rupiah);confiscated for the State.6. To order the Child to pay court costs in the amount of Rp5,000 (five thousand rupiah).

Decision No. 28/Pid.Sus-Anak/2025/PN Mdn. In this decision, the Court declared that the Child had been legally and convincingly proven guilty of committing the criminal offense of trafficking in Category I narcotics. The Court sentenced the Child to 3 (three) years of imprisonment and imposed a fine of Rp100,000,000 (one hundred million rupiah), with the provision that if the fine is not paid, it shall be substituted with 1 (one) month of job training at the Tanjung Morawa Social Service Office. The Court also ordered the confiscation of evidence consisting of 3 (three) transparent plastic packages containing cannabis with a gross weight of 7.50 grams and 32 (thirty-two) transparent plastic packages containing cannabis with a gross weight of 69.62 grams. Decision No. 46/Pid.Sus-Anak/2025/PN Mdn. In this decision, the Court declared that the Child had been legally and convincingly proven guilty of committing the criminal offense of trafficking in Category I narcotics. The Court sentenced the Child to 2 (two) years of imprisonment and 2 (two) months of job training. The Court also ordered the confiscation of evidence consisting of 1 (one) plastic clip package containing methamphetamine with a net weight of 0.85 grams.

Decision No. 55/Pid.Sus-Anak/2025/PN Mdn. In this decision, the Court declared that the Child had been legally and convincingly proven guilty of committing the criminal offense of trafficking in Category I narcotics. The Court sentenced the Child to 1 (one) year and 6 (six) months of imprisonment and imposed a fine of Rp1,000,000,000 (one billion rupiah). In the event that the fine could not be paid, it would be substituted with 2 (two) months of job training in lieu of the fine at the Class I Medan Juvenile Special Development Institution (LPKA). The Court also ordered the confiscation of evidence consisting of 3 (three) plastic clip packages containing methamphetamine with a net weight of 0.62 grams.

Decision No. 68/Pid.Sus-Anak/2025/PN Mdn. In this decision, the Court declared that the Child had been legally and convincingly proven guilty of committing the criminal offense of trafficking in Category I narcotics. The Court sentenced the Child to 2 (two) years of imprisonment and imposed a fine of Rp100,000,000 (one hundred million rupiah), with the provision that if the fine is not paid, it shall be substituted with 3 (three) months of job training at the Tanjung Morawa Social Service Office. The Court also ordered the confiscation of evidence consisting of 2 (two) plastic clip packages containing methamphetamine with a net weight of 1.14 grams. Decision No. 72/Pid.Sus-Anak/2025/PN Mdn. In this decision, the Court declared that the Child had been legally and convincingly proven guilty of committing the criminal offense of trafficking in Category I narcotics. The Court sentenced the Child to 2 (two) years and 6 (six) months of imprisonment at the Class I Medan Juvenile Special

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Development Institution (LPKA) and imposed a fine of Rp100,000,000 (one hundred million rupiah), with the provision that if the fine is not paid, it shall be substituted with 2 (two) months of job training at the Tanjung Morawa Social Service Office. The Court also ordered the confiscation of evidence consisting of 2 (two) plastic clip packages containing methamphetamine with a net weight of 0.30 grams. It can be observed from these cases that there are quite significant disparities in sentencing. The results of the analysis indicate that the Medan District Court continues to face dilemmas in administering justice, particularly in cases involving children as perpetrators of narcotics trafficking offenses. The implementation of legal justice for children involved in narcotics trafficking at the Medan District Court remains inconsistent and is strongly influenced by judicial discretion and subjective considerations in assessing and deciding cases. This can be observed from the decisions, where factors such as judicial discretion, prosecutors' indictments, and subjective judicial considerations appear to exert greater influence in determining justice for children involved in narcotics trafficking offenses.

C. Obstacles in the Implementation of Legal Justice for Children as Perpetrators of Narcotics Trafficking Offenses

The implementation of the principle of justice for children involved in narcotics trafficking offenses faces various normative and practical obstacles. One of the primary challenges is the perception that narcotics crimes constitute an extraordinary crime that must be addressed through harsh and repressive measures. This perspective often neglects the status of children as legal subjects who require protection and special treatment within the judicial process. In addition, not all legal practitioners share the same perspective regarding the implementation of legal justice in cases involving children. These differences in perspective affect judicial practice, resulting in inconsistencies in treatment and significant disparities in the types and severity of punishments imposed on children involved in narcotics trafficking offenses.¹⁶ Another crucial obstacle is the issue of judicial privilege, particularly the factor of judicial discretion, which exerts greater influence over the form of decisions rendered. Such decisions are often aligned with prosecutors' indictments and the subjective considerations of judges, without giving sufficient attention to the facts revealed during trial proceedings or to the legal elements contained within statutory regulations.

CONCLUSION

Based on the results of the studies that have been carried out on this issue, it is concluded that:

It is important to understand that narcotics, in principle, possess legitimate and significant roles in the fields of medicine and scientific research. These substances provide substantial therapeutic benefits, such as their ability to relieve pain (analgesic effects) and produce calming or sedative effects that are highly necessary in various medical procedures. However, beyond these legitimate medical uses, narcotics also have a darker side: their abuse and illegal distribution create extremely serious impacts on society at large. In the context of illegal narcotics distribution, children involved in such networks generally do not occupy the position of principal offenders, but rather become victims of criminal networks that exploit their vulnerabilities, whether economic, social, or psychological in nature. This reality necessitates a different legal approach. The legal protection afforded to children in this context cannot apply the same standards used for adult offenders; such protection must be special in nature and sensitive to the condition of the child.

The concept of legal justice for children differs fundamentally from that applied to adult offenders because it takes into account the psychological, social, and emotional immaturity of children. The concept of justice for children in cases involving children as perpetrators of narcotics trafficking offenses may be based on several statutory regulations that serve as the principal legal frameworks in the enforcement of legal justice. Legal justice itself refers to all matters that are in accordance with statutory regulations, thereby ensuring impartial treatment, commonly referred to as equality before the law, as well as fair legal certainty and non-arbitrary law enforcement. Therefore, the conceptual framework of justice for children in this context is grounded in applicable legal regulations and the actual facts revealed during court proceedings. In cases involving children as perpetrators of narcotics trafficking offenses, the legal regulations governing the concept of justice are contained in Law Number 35 of 2009 concerning Narcotics, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, and Law Number 35 of 2014 concerning Child Protection.

¹⁶Mochammad Anwar, "Legal Protection for Children as Perpetrators of Narcotics Crimes within the Juvenile Criminal Justice System," *SyiarHukum: Journal of Legal Studies*, Vol. 17 No. 1 (2019), p. 53.

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The results of the analysis of several decisions of the Medan District Court indicate that the court continues to face dilemmas in administering justice, particularly in cases involving children as perpetrators of narcotics trafficking offenses. The implementation of legal justice for children involved in narcotics trafficking at the Medan District Court remains inconsistent and is strongly influenced by judicial discretion and subjective considerations in assessing and deciding cases. This can be observed from the court decisions, where factors such as judicial discretion, prosecutors' indictments, and subjective considerations appear to exert greater influence in determining justice for children involved in narcotics trafficking offenses.

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