

ABSTRAK

Feriska Larasati. 2026. *Implementasi Bimbingan Klien Pemasyarakatan terhadap Anak Berhadapan dengan Hukum Pasca Kegagalan Diversi (Studi di Bapas Kelas II Madiun)*. Skripsi. Program Studi Hukum FH, Universitas PGRI Madiun. Pembimbing (I) Dr. Siska Diana Sari, S.H, M.H. (II) Dr. Sulistya Eviningrum, S.H, M.H.

Melalui Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak, penyelesaian perkara anak diutamakan melalui mekanisme diversi yang berlandaskan keadilan restoratif. Namun, dalam praktiknya tidak semua upaya diversi berhasil mencapai kesepakatan sehingga perkara tetap dilanjutkan ke proses peradilan pidana formal. Penelitian ini bertujuan untuk menganalisis pengaturan hukum, implementasi, serta kendala dan upaya dalam bimbingan klien pemasyarakatan terhadap Anak Berhadapan dengan Hukum (ABH) pasca kegagalan diversi di Bapas Kelas II Madiun. Penelitian menggunakan metode yuridis empiris dengan pendekatan perundang-undangan dan sosiologis. *Pertama, pembimbingan terhadap ABH pasca kegagalan diversi telah diatur dalam UU Nomor 11 Tahun 2012, UU Nomor 22 Tahun 2022, dan UU Nomor 31 Tahun 1999. Kedua, hasil penelitian menunjukkan bahwa pelaksanaan bimbingan telah sesuai dengan ketentuan peraturan perundang-undangan melalui kegiatan penelitian kemasyarakatan, pendampingan, pembinaan perilaku, pengawasan, dan kegiatan sosial. Ketiga, kendala yang dihadapi meliputi keterbatasan jumlah Pembimbing Kemasyarakatan, luas wilayah kerja, kesulitan penjadwalan, jarak tempat tinggal klien, serta keterbatasan ekonomi keluarga. Upaya yang dilakukan berupa pemanfaatan video call, penyesuaian jadwal bimbingan, home visit, dan rencana pembentukan Bapas di Ponorogo. Oleh karena itu, diperlukan peningkatan sumber daya dan sarana pendukung agar pelaksanaan bimbingan dapat berjalan lebih efektif dan optimal.*

Kata Kunci: Bimbingan Klien Pemasyarakatan, ABH, Kegagalan Diversi, Sistem Peradilan Pidana Anak

ABSTRACT

Feriska Larasati. 2026. Implementation of Probation Client Counseling for Children in Conflict with the Law Following the Failure of Diversion (A Study at the Class II Probation Office in Madiun). Thesis. Law Program, Faculty of Law, PGRI University of Madiun. Advisors: (I) Dr. Siska Diana Sari, S.H., M.H.; (II) Dr. Sulistya Eviningrum, S.H., M.H.

Under Law No. 11 of 2012 on the Juvenile Criminal Justice System, the resolution of juvenile cases is prioritized through diversion mechanisms based on restorative justice. However, in practice, not all diversion efforts succeed in reaching an agreement, so cases are still referred to the formal criminal justice process. This study aims to analyze the legal framework, implementation, as well as the challenges and efforts involved in providing guidance to juvenile clients in the correctional system following the failure of diversion at the Class II Madiun Correctional Guidance Center. The study employs an empirical-juridical method with a legislative and sociological approach. *First, guidance for children in conflict with the law following the failure of diversion is regulated under Law No. 11 of 2012, Law No. 22 of 2022, and Law No. 31 of 1999. Second, the research findings indicate that the implementation of guidance has been in accordance with statutory provisions through community-based research activities, accompaniment, behavioral guidance, supervision, and social activities. Third, the challenges faced include a limited number of Community Guidance Counselors, the vastness of the service area, scheduling difficulties, the distance from clients' residences, and families' economic constraints. Efforts undertaken include the use of video calls, adjustments to guidance schedules, home visits, and plans to establish a Bapas office in Ponorogo.* Therefore, an increase in resources and supporting facilities is needed so that the implementation of guidance can proceed more effectively and optimally.

Keywords: Guidance for Probation Clients, Juvenile Offenders, Diversion Failure, Juvenile Criminal Justice System