

The Influence of The Family Environment That Results in Children Becoming Crimes

Yusuf Hanafi Pasaribu

Faculty of Law, Universitas Pembinaan Masyarakat Indonesia, E-mail:
yusufhanafipsb2@gmail.com

Abstract. *This research aims to analyze legal policies related to the influence of the family environment on the occurrence of criminal acts by children. Children as part of society are often influenced by the environment around them, especially the family, which plays an important role in shaping their character and behavior. In some cases, instability in the family environment can increase the risk of children being involved in criminal activities. Therefore, appropriate legal policies are important in addressing this issue. This study identifies various factors in the family environment that can affect children's behavior, such as family conflict, lack of parental attention, and economic and social factors. In addition, this study also assesses the effectiveness of existing legal policies in dealing with children involved in criminal offenses, including rehabilitation and guidance policies that focus on child recovery rather than punishment alone. The results show that legal policies based on restorative approaches, which prioritize recovery and education for children, have proven to be more effective than repressive punitive policies. It is recommended that legal policies prioritize the role of families in preventing juvenile crime and strengthen coaching programs to help children get back on track. This research also emphasizes the importance of collaboration between legal, educational and social institutions in creating an environment that supports the healthy development of children free from bad influences.*

Keywords: *Crime; Children; Environment; Family.*

1. INTRODUCTION

Children are subjects and objects in Indonesia's national development, which are also part of the younger generation as one of the human resources that are potential and successors of the nation's struggle ideals, which have a special role, require guidance and protection in order to ensure physical, mental, and social growth and development in a complete, harmonious, and balanced manner (Aditya & Waddington, 2021; Fitt et al., 2023). The unlawful acts committed are merely a reaction to pressure / pressure from within and from the environment of the child concerned. Therefore, the approach used towards children in conflict with the law must be restorative, with an emphasis on the best interests of the child and the restoration of social relations between the child, family, and society. Handling of children who commit violations of the law should not

be the same as adults, but must pay attention to their age, level of maturity, and social and psychological background (Said, 2018). This approach reflects the state's commitment to providing special protection to children while guaranteeing their rights as regulated in national laws and international conventions on the rights of the child (Erdianti & Al-Fatih, 2020).

The emergence of criminal acts committed by children is not only a disturbance to public order, but also a danger that can threaten the future of a nation and state (Harisnaeni & Cahyaningtyas, 2021). Therefore, children need to be protected from detrimental acts, so that children as the foundation of the nation's successors are maintained for the future of the nation and state. The state, government, society, family, and parents are obliged and responsible for the implementation of child protection. Child Protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate, optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination (Fitt et al., 2023).

Some experts say that the causes of juvenile delinquency are due to the expectation gap or there is no match between ideals and the means that can support the achievement of these ideals. Theoretically, efforts to overcome crime problems including juvenile delinquency as a social phenomenon, actually focus on revealing the correlation factors to the symptoms of juvenile delinquency as a criminogenic factor (Awaworyi Churchill et al., 2023). Discussion of these problems is the scope of criminology discussion. Many factors cause children's attitudes and behavior, especially adolescents, to be misguided, causing children to become delinquent. Among others, the rapidly developing technology around us, both mass media and social media, which change adolescent behavior to be free and uncontrolled, leading to immorality. The increasingly sophisticated conditions of globalization of information and communication can have a negative impact on the physical and mental development of adolescents, so that children can imitate what they see to commit crimes.

Legal protection for children in conflict with the law must prioritize the development and restoration of their rights without having to be subject to excessive punishment, so that children still have hope to face their future without being hampered by the suffering of past trauma that has experienced excessive legal action in court. It becomes a complicated problem from the perspective of justice if legal conflicts occur not only because of children with the state or society, but legal conflicts also occur in relations between children who both have the right to receive protection (Haines et al., 2021).

Handling of children in conflict with the law due to the influence of the family environment is part of the policy or effort to combat crime because the main goal is to protect children and improve the welfare of children where children are part of society. In essence, policies or efforts to combat are an integral part of efforts to protect society (social defense) and efforts to achieve social welfare (social welfare). Thus, handling of children in conflict with the law, especially those influenced by family environmental factors, must be carried out through a holistic and multidisciplinary approach, involving the active role of the family, society, educational institutions, and the state. This approach is not only oriented towards the legal aspect alone, but also on the aspects of fostering, rehabilitation, and social reintegration of children into a healthy and supportive environment. In this framework, the family plays a central role

as the first and main environment in shaping the character and behavior of children, so that policy interventions need to be directed at strengthening the function of the family as a vehicle for education and child protection.

Through a humanistic, holistic, and child protection-based approach, it is hoped that the policy for handling children in conflict with the law can be a means to restore the child's social function in its entirety, as well as prevent repeated violations in the future. Therefore, this study attempts to explore how the family environment can influence the occurrence of child criminals. Although various studies have discussed the factors that influence children's involvement in crime, most studies still focus on individual aspects of the child, such as psychological factors, education, or peer influence (Sartika et al., 2022). Meanwhile, the role of the family environment as the first social unit that shapes children's behavior has often not been studied in depth in the context of causality towards criminal acts. Several studies only see the family as a general background without delving further into internal dynamics such as parenting patterns, domestic violence, family dysfunction, or emotional neglect (van Dijk et al., 2022). In fact, a non-conducive family environment has the potential to be a driving factor for children to fall into deviant behavior. Therefore, research is needed that specifically highlights how the family environment can trigger children to become perpetrators of crime, in order to fill the gap in the literature and provide an empirical basis for more effective and family-based prevention policies.

2. RESEARCH METHODS

This research method uses a normative legal research method where the problem is seen from the study of reference materials used are laws and regulations as the main material (primary legal material) and secondary legal materials such as literature, law books, scientific works, scientific articles that discuss the influence of the family environment that results in children as perpetrators (Nurhayati et al., 2021). The data sources in this study consist of primary legal materials and secondary legal materials. The primary legal materials used include various relevant laws and regulations, such as Law Number 35 of 2014 concerning Child Protection, the Criminal Code or *Undang Hukum Pidana* (KUHP), as well as *Undang-Undang Sistem Peradilan Pidana Anak* (UU SPPA). This primary legal material is the main basis for analysis to understand family legal responsibilities and regulations regarding children in conflict with the law (Erliyani, 2020).

Meanwhile, secondary legal materials are obtained from various literature such as legal textbooks, scientific journals, articles, previous research results, and opinions of experts discussing the relationship between family environment and juvenile delinquency or criminal acts committed by children. The study of secondary legal materials is useful for providing theoretical and in-depth perspectives on the issues raised, as well as enriching legal analysis with sociological and psychological approaches (Muhaimin, 2020).

Data analysis was conducted qualitatively, namely by interpreting and connecting applicable legal norms with the social reality that occurs, especially in the context of how family conditions—both in terms of economy, communication, parental attention, and educational background—can influence children's behavior to the point of criminal acts. Thus, this study is expected to provide a comprehensive understanding of the

urgency of family development as part of preventive efforts against child criminality and the contribution of law in overcoming these problems.

3. RESULTS AND DISCUSSION

3.1. Factors Influencing the Family Environment that Result in Criminal Acts by Children

The problem of criminal acts is indeed a very complicated problem, there it is crushed, here it appears again, so that the community is worried because of it, even the law enforcement officers are confused. Especially if the perpetrators of the crime are actually minoring. From what the law enforcement officers have done, it is not without results, but at least it can reduce the number of such cases. Actually, there are many, but the most important thing for the age level of children as mentioned above is initially influenced by family environmental factors (Liu et al., 2020). Because in the family environment, children first get to know their own environment as primary socialization. This is where how parents educate and guide their children will greatly determine their children's behavior in the future. For example, in educating their children about their religious education. As emphasized by Zakiah Daradjat as follows: "Good habits that are in accordance with the spirit of religious teachings will be able to be easily calmed in the child's soul, if the adults around them (especially parents) provide examples of good character in their daily lives, because children imitate faster than understand abstract words ".

In addition to the religious education that is rarely received by children during childhood at home, in addition to that, religious education in schools is also very lacking in terms of school activities that are associated with religious values. In addition, religious teachers in schools are often considered low (Karataş, 2020). Finally, children do not get the right religious education, either from their parents or from their schools. In fact, in facing every increasingly complex change, parents must really understand moral education for their children as emphasized by AH. Hujair Sanaky, namely: "In facing these changes, intelligent people are needed, knowledgeable and people who have a high work ethic. In other words, it is necessary to develop the epistemological state of Muslims in realizing Islamic teachings in everyday life.

Children also really need attention and affection from their parents with educational treatments as expressed by Zakiah Daradjat: "Indeed, the most important thing in children's education is the overall treatment received by the child from his parents, where he feels loved, cared for and respected in the family. In addition, he must feel that in his relationship with his parents he is treated fairly among his siblings, he feels safe and secure, without fear of being scolded, teased or compared with his other siblings. Freedom within reasonable limits is not further bound or restrained by parental rules or advice.

Thus, if the child feels unloved by his parents and feels that he does not get enough attention from both parents, he will try to seek that love and attention in various ways, for example by behaving in a way that attracts attention, often complaining, fighting, disturbing others, not wanting to carry out parental orders, forming wild groups that like and often disturb the peace of others (Djanggih, 2018). This is all done by the child, because as a result of feeling depressed due to the lack of parental attention,

then the naughtiness and even criminal acts that are carried out are an expression of punishment or revenge for his parents. So, what the child has done is actually an outburst and statement or a kind of protest to his parents who have not cared about him (Pujayanti et al., 2023).

Indeed, we often find in everyday life, because of the lack of parental knowledge regarding the management of their children's time, the consequences can be even more fatal. Instead of children becoming obedient and obedient to their parents, but with continuous emotional pressure like this, children will actually do things beyond their parents' calculations. In addition, it is also necessary to realize that the growth of children from the age of 13 years and above also brings changes in sexual feelings. They begin to like the opposite sex and their curiosity increases. Common factors that can cause minors to commit crimes. Crimes involving children are a serious problem that can affect their future. Children do not immediately commit crimes without any triggering factors. The following are some factors in the family, namely, Family Factors for example:

a. Improper Parenting Patterns

- Domestic violence, lack of affection, or overly harsh parental attitudes can make children feel frustrated and vent their frustration through criminal acts.

b. Lack of Supervision

- Parents who are busy or don't care about their children's activities make children more easily influenced by negative environments.

c. Troubled Family Environment

- Children who grow up in families with problems such as divorce or drug addiction have a higher risk of becoming involved in crime.

3.2 The Influence of the Family Environment Resulting in Criminal Acts by Children

Regarding the problem of criminal acts in society, humans often relate to legal norms. This is because other norms have often been ignored by some members of society. Even legal norms that already have direct criminal sanctions are still often violated by members of society, so that unlawful acts in society are very concerning and very difficult to eradicate. Then the most concerning is the impact or influence of society as mentioned above on the development of the souls and personalities of minors who are always in the midst of such a society every day (Dina Paramitha Hefni Putri, 2020).

Children who are starting to be affected if there is no one to handle and direct or guide them immediately, then psychologically the child has been trapped in the criminal world. In conditions like this, the child only has to wait for a signal from his/her community environment. If a crime has occurred in his/her community environment, then the child will immediately respond to the action in the form of similar activities, although not exactly the same (Kamarmir & Dame Panjaitan, 2023).

Legal handling of children must still pay attention to several things, such as psychological aspects, prioritizing legal socialization, psychological assistance, separation of detention places and assistance from lawyers. These things must be done because handling without being balanced with integrated programs related to

education, health, psychological guidance, and community involvement will encourage children to repeat unlawful acts. To carry out the steps above, the government needs to coordinate across agencies, especially the education agency, social service, and health service in collaboration with the police. In addition, it must also involve all relevant stakeholders and the community. However, everything that is done will be in vain if it is not openly understood to understand children and their rights. Therefore, an open understanding based on affection for children and their rights will give rise to a more comprehensive attitude, treatment and policy towards children, including children in conflict with the law. Even, if necessary, the labeling of 'naughty children' or 'bad children' must be avoided, even though they have made a mistake. This can encourage positive values in children and not vice versa. The methods that can be used to prevent children from committing crimes or criminal acts are:

A. Preventive Actions

Preventive measures are taken in places prone to kidnapping, such as in schools by giving an appeal to all teachers and school security guards not to give permission for someone claiming to be a relative of their parents to take their students away without their parents' consent. Parents and teachers must also educate children to be wary of strangers, not to accept food, drinks or toys without the knowledge of their parents or teachers and if a stranger force something, tries to touch them, the child must dare to scream for help from the closest person. Children are given education not to easily believe or follow the invitation of people they don't know even if they are on behalf of their parents, whether on behalf of their father, mother, and family. When in crowded places or in public places as parents, do not be far from their children or let go of their children.

Nowadays every child must use a smartphone, parents can equip it with a location tracking device that can be used to anticipate child kidnapping. Supervision of children should also not be excessive because it is feared that it will cause mean world syndrome or cruel world syndrome, which means a phenomenon or someone's belief in perceiving the world as crueller and more frightening than reality (Mulyana et al., 2022). This will actually make it difficult for children to explore themselves to get to know the outside world. In addition, cooperation is needed between law enforcement and non-governmental organizations (NGOs), especially the Child Protection Agency (LPA) which together appeal to the public not to be careless in supervising children by holding socialization. This preventive method must be carried out more effectively, both by parents, government officials and private institutions, because it is better to prevent the crime from happening in order to create order and peace in society. The government is also expected to accelerate the process of installing CCTV in places prone to crime that often occur in big cities.

B. Repressive Actions

The role of law in dealing with crime, especially kidnapping, is one of the efforts to overcome crime by using criminal law and criminal sanctions. The application of criminal law is one of the efforts to overcome the crime of child kidnapping with the aim of achieving public welfare in general, so this law enforcement policy is also included in the field of social policy. On the other hand, the community must also play an active role and participate if they find a crime of kidnapping against a child. This effort aims to restore the anxiety that was once disturbed, in other words in the form

of an increase in child perpetrators committing crimes or members of the community who violate the law and guidance is given to the perpetrators so that they do not commit crimes again, and if necessary, severe legal sanctions must be given so that the child perpetrators who commit crimes do not repeat their actions (deterrent effect) and are reluctant to commit their actions a second time.

4. CONCLUSION

A crime committed by a child or a minor has a cause that is the background of why the act was committed along with also called motivation where it contains elements of intention, desire, will, urges, needs, ideals which are then manifested by the birth of criminal acts of theft committed by children regardless of the factors that support children who commit deviant acts. So it can be concluded that the factors causing children to commit crimes are family factors, inappropriate parenting patterns, and lack of supervision. Efforts that must be made to overcome this are to give priority to preventive efforts, namely an effort to make negative relationships into positive ones so that these efforts are no longer a disturbance in society. In addition, this is also inseparable from repressive efforts because these efforts aim to restore the anxiety that was once disturbed, and guidance is carried out for the perpetrators consistently so that they do not commit crimes again and if necessary, severe legal sanctions should be given so that the perpetrators of the crime do not repeat their actions.

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