



## Criminal Enforcement for Children in Progressive Studies

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### Abstract

This research has a purpose to know how exactly the implementation of crime against children under age that occurred in Indonesia, viewed from the of progressive law. The method of research used in this research is qualitative method with normative juridical approach. In this research can be determined the result that in the enforcement of crime for children under age, the process is different with criminal law enforcement in general. From the settlement of the case as soon as possible, the investigator must be a child-specific investigator, the child's examination is conducted in a familial atmosphere, and the investigator is required to seek advice from the Counselor. This is in accordance with what has been mandated in Law Number 35 Year 2014 on the Amendment of Law Number 23 Year 2002 on Child Protection. In the future wish that society and government understand the meaning of real justice, that in the child crime, there is a value that need to be prioritized called restorative justice.

**Keyword:** Child Crime, Progressive Law, Restorative Justice

## INTRODUCTION

As a creature of God Almighty, and as part of society, children have inherent human rights. The right is owned and present to him from the moment he was born. Children who are the nation's successor assets, as part of the nation's generation of children play a very strategic role as the successor of the ideals of a nation. According to Arif Gosita said that children must be protected so as not to become victims of any action (individuals or groups, organizations, private or government) either directly or indirectly (Gosita, 1989). This form of protection is contained in Law No. 4 of 1979 on Child Welfare, Law No. 3 of 1997 on Juvenile Justice (hereinafter referred to as the Juvenile Court Law) and Law Number 23 Year 2002 on Child Protection (hereinafter referred to as the Law Child protection).

Child misbehavior happens not just deviant behavior derived from internal factors, but also along with external factors, namely due to the swift flow of free markets

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tenis to be material rather than the moral and identity of the identity of a nation.

In order to achieve the objectives of the Republic of Indonesia as mandated in the Preamble of the 1945 Constitution of the State of the Republic of Indonesia, the state is obliged to provide protection for children who, in their development, are still in search of their own form of identity. Especially when children face or conflict with the law, to realize the social order is needed a child criminal justice system that is able to provide protection and sense of justice towards children so they still have hope to look at their future, without having to be hampered by the suffering of his past trauma ever experiencing excessive legal action in the judiciary. The legal action imposed on them should prioritize the fostering and restoration of their rights without being subject to excessive legal action.

The policy of organizing the criminal justice system for children conducting criminal offenses is inseparable from the objective of child protection and counseling, which is more emphasizing on the objectives of improving, rehabilitating, fostering the welfare of the child's perpetrators. With the emphasis on child protection, Sudarto concluded that criminal investigation activities conducted by police, prosecutors, judges and other officials are based on the principle of the interest of the child or see what criteria are best for the welfare of the child in question, without reducing attention to the public interest (Sudarto, 1980).

The Indonesian Penal Code system enters a new phase in its development. One of the reforms existing in the Indonesian Penal Code is the regulation of criminal law in perspective and the achievement of justice to the improvement and restoration of the situation after the events and processes of criminal justice known as restorative justice which are different from retributive justice (emphasizing justice on retaliation) and restitutive justice (emphasizing justice on compensation). When viewed from the development of criminal law science and the nature of modern penidization, it has introduced and developed the so-called Victim-Doer- Victims Relationship approach. A new approach that has replaced the approach of deed or actor or "*daad-dader strafrecht*". Legal experts have introduced a formula of justice, especially in the enforcement of human rights, that there are 3 aspects of approaches to build a legal system in the context of modernization and legal reform, ie structure, substance and legal culture, all of which are feasible to run integral, simultaneous and parallel.

Legal protection for children can be done as legal protection against various freedom and child rights. Child protection also includes interests related to child welfare. Protection of children in conflict with the law (ABH), is the joint responsibility of law enforcement officers. Not only children as perpetrators, but also include children who are victims and witnesses. Law enforcement officials involved in the handling of ABH not only refer to Law Number 11 Year 2012 on the System of Child Criminal Justice System or other legislation relating to the handling of ABH, but prioritizes peace rather than the formal legal process which came into force 2 years after the SPPA Law is

enacted on 1 August 2014 ([Article 108 of Law No. 11 Year 2012](#)).

Currently, the Indonesian Child Correctional Institution exceeds the capacity of poor children. This is because there is an increase in the number of criminal acts committed by children, and also because judges tend to impose imprisonment for child perpetrators. Such conditions certainly do not support and hamper the implementation of guidance against bad children. Based on the research, the policy of imprisonment of juvenile punishment against the naughty children shows that there is a tendency to be detrimental to the development of the child's soul in the future. This adverse tendency is the result of a stigma penalty effect. Based on the description of the problem above, the problems are what is a progressive law? And how is the implementation of child crime in progressive legal review?

## RESEARCH METHOD

This research is a qualitative research with Juridical Normative approach. using normative case studies of legal behavioral products, for example reviewing the law. The subject of the study is the law that is conceptualized as the norm or rule that is in society and becomes the reference of everyone's behavior. Thus normative legal research focuses on the inventory of positive law, legal principles and doctrines, the discovery of the law in the case of concrete, the systematic law, the level of synchronization, comparative law and legal history ([Muhammad, 2004](#)).

Primary legal materials, namely all legal materials / materials that have juridical binding status. Primary legal material consists of laws and regulations relating to research and secondary legal materials, ie in the form of materials or related material and explains the problems of primary legal materials consisting of books and literature related Mining Geothermal in particular. The legal material used in normative law research is literature of basic material which in research science is generally called secondary law material ([Marzuki, 2005](#)). In secondary law material is divided primary and secondary law material.

## FINDING AND DISCUSSION

### Explanation of Progressive Law

Progressive legal movement was born as a result of the disappointment to law enforcement who often berpiptektif positivist. That is only fixed on the text in the law without going deeper into the justice that exists in the community ([Suteki, 2015](#)). It is part of the quest for truth that will never stop. Progressive law departs from the empirical reality of the workings of the law in society in the form of dissatisfaction and concern over the performance and quality of law enforcement in Indonesia at the end of the 20th century.

According to [Fletcher \(1996\)](#), legal positivism has the same view of the acceptance of validation. Just as science positivism can not accept the thought of a proposition that can not be verified or that can not be falsified, but because the law exists because it is contained in what legislation is believed or not. The law should be included in law by the legislature by enacting, improving and modifying it ([Fuady, 2003](#)).

Reforms and negative criticisms of Indonesian law enforcement and system provide an opportunity for us to think about what we will do to get out of bad situations. However, the atmosphere of the downturn still leaves a blessing, which provides an opportunity for us to think about changes in no harm to the roots of philosophy once ([Rahardjo, 2006](#)).

Progressive is a word that comes from a foreign language (English) which origin he said is progress which means forward. Progressive law means advanced law. The term progressive law, introduced by Satjipto Rahardjo, is based on the basic assumption that law is for man. Satjipto Rahardjo is concerned with the low contribution of law science in enlightening the Indonesian nation, in overcoming the crisis, including the crisis in the field of law itself.

According to him again, a progressive law is a law that can keep up with the times and be able to answer the changing times with all the basics that are in it. He mentioned that the changes are closely related to the habitat base of the law itself. As in the nineteenth century, the modern state emerged and became the physical- territorial base that determined laws, concepts, principles, and doctrines to be reviewed and renewed. Progressive law -which can be viewed as a concept of self- seeking - departs from the empirical relativity of the workings of the law in society, in the form of dissatisfaction and concern for the performance and quality of law enforcement in the setting of the late twentieth-century Indonesia (Rahardjo, 2005). That sense implies a more simple meaning of Progressive Law means the law that liberates the mindset or legal action, thus making the law can freely be the answer to justice for the community without any limitations

In addition, according to Satjipto, progressive law is a law that can keep up with the times and be able to answer the changing times with all the basics in it. He mentioned that the changes are closely related to the habitat base of the law itself. As in the nineteenth century, the modern state emerged and became the physical-territorial base that determined laws, concepts, principles, and doctrines to be reviewed and updated (Revana, 2011).

Adji Samekto (2005) states that if speaking progressive law then there is one key word that we must understand that is talking about law enforcement that will affect the change of law. Progressive law mostly speaks in the realm of reality or empirical. From that reality there is an idea that appears to improve the rules that are normative (inductive). When it comes to reality, it is directed to law enforcement.

Law enforcement understood by progressive law is the will of truth derived from the values of reality (embodies *das sollen* in *das sein*). The law in the empirical realm then the law will definitely affect and influenced other factors (facts) or occur by itself. In reality, law is only a sub-system of other sub-sciences. Social science has explained the factors that affect.

In today's modern legal system, justice is considered to be given by making positive laws. Or in other words, justice to be enforced is determined by positive law. In the social context, the relations and actions of the government to its citizens are based on impersonal and impartial rules and procedures. From here came the conception of the rule of law. Soetandyo, states that the positivization of legal norms is a very decisive political process for the development of law as an applied art (Samekto, 2005). The main points of this progressive legal model can be described as follows:

- a. Progressive law is aimed at protecting the people toward ideally the law;
- b. The law rejects the status quo, and does not want to make law a technology that is not conscience, but a moral institution;
- c. Law is an institution aimed at bringing people to a just, prosperous and happy life;
- d. Progressive law is, "the law of pro-people and pro-justice";
- e. The basic assumption of progressive law is for human beings, not the other way around. in relation to this, then the law does not exist for itself, but for something greater; and

f. The law is always in the process of continuing to be (law as a process, law in the making).

The following are the keywords in progressive law:

- a. Progressive law is for man, not man for law. In essence every human being is good, so this trait deserves to be capital in building life punish him. The law is not a king (everything), but merely a tool for human beings to give grace to the world and to humanity.<sup>16</sup> The law does not exist for itself, but for something larger and larger. So, every time there is a problem in and with the law, the punishment is reviewed and corrected, not the man forced to be put into the legal scheme (Ali, 2002).
- b. The progressive law must be pro-people and pro-justice. The law must side with the people. Justice must be seated above the rules. Law enforcers must dare to break through the rigidity of the text of the rule (termed "*law mobilization*") (Pujirahayu, 2011). If it does harm the people's sense of justice, the pro-people and pro-justice principles are measures to avoid this progressive degeneration, misuse, abuse, and other negative things (S. Lev, 1990).
- c. Progressive law aims to lead people to prosperity and happiness. The law must have a further purpose than that proposed by liberal philosophy. In post-liberal philosophy, the law must be prosperous and happy. This is also in line with the Eastern person's point of view that gives priority to happiness (Rahardjo, 2009).
- d. Progressive law is always in the process of becoming (law as a process, law in the making). Law is not a final institution, but is determined by its ability to serve people. It constantly builds and transforms itself to a better level of perfection. Every step in the journey of law is the decisions made to achieve the ideal of law, whether legislative, judicative, or executive. Each decision is terminal to the next better decision. The law can never marginalize the autonomous forces of society to govern its own order. These forces will always exist, albeit in latent form. At certain moments he will appear and take over work that can not be solved well by state law. So, it should be allowed the law is allowed to flow alone (Muhammad, 1983).
- e. Progressive law emphasizes good life as a good legal basis. The basis of the law lies in the behavior of its own people because it is the nation's behavior that determines the quality of the nation's punishment. Fundamentally the law lies not in legal stuff, legal system, legal thinking, and so on, but rather on human or human behavior. In the hands of hasty behavior, the legal system will become corrupted, but not in the hands of people with good behavior (Fletcher, 1996).
- f. Progressive law has a responsive type. In the responsive type, the law will always be linked to objectives beyond the textual narrative of the law itself, called by Nonet and Selznick as "*the sovereignty of purpose*". This opinion also criticizes the doctrine of due process of law. The responsive type rejects legal autonomy that is final and can not be challenged (Rahardjo, 2009).
- g. Progressive law encourages public roles. Since the law has limited capacity, entrusting everything to the rule of law is unrealistic and wrong. On the other hand, people have an autonomous power to protect and organize themselves. This power is temporarily submerged under the dominance of modern law which in fact is the hukm of the state. To that end, progressive law agrees to mobilize the autonomous forces of society (encouraging public role) (Rahardjo, 2009).
- h. Progressive law builds a legal state of affairs. In the law, the main one is culture, "*the cultural primacy*." Culture in question is a culture of people's happiness. This condition can be achieved if we do not dwell on "*the legal structure of the state*" but should prioritize "*a state with conscience*". In the form of a question, it would read: "*State of law for what?*" and answered with: "*a state to make people happy*" (Rahardjo,

- 2009).
- i. Progressive law is run with spiritual intelligence. Spiritual intelligence does not want to be bound by the rule-bound, nor is it just contextual, but wants to get out of the situation in search of the truth of meaning or value deeper (Rahardjo, 2006).
  - j. The progressive law breaks down, substitutes, and frees. Progressive law rejects the status quo and submissive stance. The attitude of the status quo causes us not to dare to make changes and regard doctrine as an absolute thing to do. This attitude only refers to the maxim of "*people for the law*" (Rahardjo, 2007).

### Implementation of Progressive Laws in the Enforcement of Child Crimes

Handling the problem of children who deal with the law not only struggling on the rights alone. More than that, it is necessary to apply restorative justice (Restorative Justice). Restorative justice in the criminal justice system is part of diversionary implementation. The main principle of the implementation of the concept of diversion is the persuasive or non-penal approach and provides an opportunity for a person to correct mistakes (Pradityo, 2016).

Basically, restorative justice involves three stakeholders namely, victims, perpetrators, and civil society or society in determining the settlement of the child's case. Through restorative justice, there is an effort to bring together victims and perpetrators with the aim of seeking recovery for victims. On the other hand, child offenders, despite the status of the perpetrator, but the child who is the perpetrator also includes Restorative Justice in the Criminal Justice System of the Child - Randy Pradityo the victim. who are entitled to also recover and even socialize the child perpetrators, not by way of retaliation. This is in accordance with the formulation of article 1 point 6 of the Juvenile Justice System Law, which regulates the restorative justice, following the full formulation:

*Restorative justice is the settlement of criminal cases involving perpetrators, victims, families of perpetrators / victims, and other concerned parties to jointly seek a fair settlement by emphasizing restoration back to the original state, rather than retaliation.*

David Setyawan (KPAI, 2017) said that Prisons are just right for adults who commit crimes. The child is not right to go to jail because it will turn off his future hope. It is a growing autonomous person, all it needs is help and guidance. The right judicature for child delinquency is a restorative justice model that improves and restores the relationship of the perpetrator and the victim so that the harmony of life is maintained. The maximum penalty they may receive is forced education. This model will actually be realized if, juvenile justice becomes a judicial system of a separate judicial system that is not part of the general criminal justice system.

Jeff Christian, an international prison expert from Canada, argues that restorative justice has been practiced by many societies since thousands of years ago long before the present formalistic law of the State, which came to be called modern law. According to him, restorative justice is a handling of criminal acts that is not only seen from the eyes of the law alone, but also associated with local moral, social, economic, religious, and local aspects, as well as various other considerations.

Restorative justice, according to the opinion of the author will be considered again because restorative justice is to consider all aspects of the object of law. Adhering to values that may be considered traditional and obsolete, but today it is precisely that

which must be put forward to create justice as fair as possible. Justice considers all aspects and does not impose the enforcement of a law if it is deemed ineffective to enforce.

Legally positive, the stages of the criminal justice process of child crime through restorative justice or called *diversi* is regulated in Article 52 of the Criminal Justice System Law. For more details, here's the full formula:

1. Paragraph (1) The Chairman of the court shall determine the Judge or the Panel of Judges to handle the child's case no later than 3 (three) days after receiving the case file from the prosecutor.
2. Paragraph (2) The Judge shall strive for the Diversity no later than 7 (seven) days after being stipulated by the District Court as Judge
3. Paragraph (3) *Diversi* referred to in paragraph (2) shall be held no later than 30 (thirty) days.
4. Paragraph (4) The Diversity Process can be carried out in the mediation court of the District Court.
5. Paragraph (5) In the event that the *Diversi* process reaches an agreement, the Judge shall deliver the *Diversi* news report along with the *Diversi* agreement to the President of the District Court for determination.
6. Paragraph (6) In the event that *Diversi* is not successful, the case proceeds to the stage of the hearing.

According to Article 1 number (7) of Law Number 11 Year 2012, *Diversi* is the transfer of the settlement of child cases from the criminal justice process to proceedings outside the criminal justice. Restorative Justice or diversion can be interpreted as the transfer of cases of children alleged to have committed a criminal offense of the formal process with no conditions. *Diversi* aims to avoid children following the judicial process that can lead to stigma as criminals in order to improve life skills for the perpetrators so that the perpetrator can be responsible for his actions.

The Diversion Program in many non-intervention cases is the best effort for the child, therefore *Diversi* without going through the formal process is an optimal effort especially for criminal acts that are not serious, where the family, school or other social institutions have or will act with feasible and constructive way. This will of course involve law enforcement officials to tell the child that what he did was wrong and warn him not to repeat his mistakes again, which then the case is not passed on to the proceedings. As an example of a child who, for some reason, commits a small amount of theft, the child is required to recover the losses suffered by the victim by taking into account the abilities of the child.

Progressive law enforcement in the juvenile justice system can be seen from the investigation process to the judge's decision. Law enforcers must promote justice values that lead to improvements after the crime. Both against the victims and especially the perpetrators who in fact children.

In this case, based on Act Number 35 Year 2014 about Amendment to Law Number 23 Year 2002 on Child Protection called child is: "*A child is a person who is not yet 18 (eighteen) years of age, including a child who is still in the womb.*"

Starting from the view of progressive legal approach as described above, it is attempted to implement in the framework of law enforcement of the criminal justice system of children (Wahyudi, 2008).

- a. Assumptions in enforcing the criminal justice system (SPP) of children. Criminal justice enforcement of children criminal justice holds that law enforcement of child criminal justice is emphasize for the sake of child, not solely for juvenile justice law. The legislation rules of the criminal justice system of children, not as an

absolute and final law, but always in the process of becoming (law as a process, law in the making).

- b. The purpose of enforcing the child criminal justice system  
Law enforcement of the criminal justice system of children with a progressive approach aimed at the welfare and happiness of children.
- c. Spirit in the enforcement of tuition fees Law enforcement of SPP is done by spirit or spirit of liberation to the type, way of thinking, principle and theory that has been used (dominating), in implementation and application of Child Court Law so far. Thus in the enforcement of tuition children there is a spirit to be able to do the creativity or liberation of law enforcement (administration of justice) in solving the child's case with the starting point on the purpose of welfare and happiness of children (Mulyadi, 2010).
- d. Progression in the enforcement of tuition fees  
Progressiveness of the enforcement of tuition of children in the form of viewing the child tuition legislation is always in the process of becoming (law in the making), to towards the goal for human/child welfare and happiness. Progressive enforcement of child SPP is done because in the law enforcement process should be sensitive to the development and changes that occur in the community both local, national and global on child protection issues. The progressive enforcement of the child's tuition fee is also indicated by rejecting the status quo when causing harm to the child and is detrimental to the interests of the naughty child.
- e. Character of enforcing SPP child  
The character of the enforcement of the SPP of the child attempts to divert the focus of the original study by using the legal optics into behavior. Therefore, in the enforcement of tuition fees, the children emphasize on the actions of law enforcers more emphasized on the goals toward the interests of child protection. The character of progressive law enforcement is aware of placing its presence in close relationships with people and society. Therefore, law enforcers to mengimpelemetaskan SPP child can not be released (respond) for the interests or needs of children.  
The character of progressive law enforcement views the law not from the perspective of the law itself but is seen and judged by the social objectives to be achieved and the consequent consequence of the workings of the law. Therefore, with progressive legal approach, in enforcing SPP children will always pay attention to the goals of tuition of children.

The application emphasizes child protection in the investigation or prosecution of these children can be seen in the provisions of the Law on Application emphasize child protection in the investigation or prosecution of this child can be seen in the provisions of the Juvenile Court Law, for example:

- a. child investigation is conducted with a familial atmosphere (Article 42 (1));
- b. the process of child investigation must be kept confidential (Article 42 (3));
- c. the detention of children shall be carried out after seriously considering the interests of the child and / or the interest of the community (Art. 45 (1));
- d. where child custody should be separated from adult custody, and the child's physical, spiritual, and social needs must remain satisfied. (Article 45 (3), (4)); and
- e. any bad boy is entitled to legal assistance and law enforcement shall notify this right (Article 51 (1) (2)),

In the Criminal Justice System of Children, there are several elements that constitute one unit, namely: Child Investigator, Public Prosecutor, Judge and Officer. Child Correctional Institution. A fair justice will provide protection for the rights of the



child, either as a suspect, a defendant, or as a convicted / inmate. Therefore, in the regulations governing Juvenile Justice, the rights of the child are the basis of the formulation of the regulation. Investigation is the first step of law enforcement in implementing the criminal justice system of children. Child investigation and child prosecution are conducted by the police and public prosecutors specifically appointed. This particular appointment, as provided for in the Juvenile Court Law, requires that child investigators meet the following conditions:

- a. has experience as an adult investigator or prosecutor;
- b. have interest, concern, dedication and understanding of children's issues, as specified in Article 41 (2), Article 53 (2) of the Juvenile Court Law

By looking at the conditions of this child investigator, it is predictable that the investigation of the child should take care of the child's protection, or to be said to emphasize the need for child protection rather than the wider public interest. This should affect the investigator, that in the investigation and prosecution always emphasize the importance of child protection. Already supposedly improving judicial concepts are applied to children. Beginning with the investigation, following the progressive implementation at the investigator stage in the criminal case of the child.

- a. Settlement of the case as soon as possible

Law enforcement based on fast, simple and low cost aims to provide legal certainty for all parties, especially perpetrators and victims. The investigator shall settle the investigation files for submission (P-21) for a period of 30 days. The duration shall be maximized by the investigator to complete the results of the investigation in order for the legal status of the child to have legal certainty and not pocket the criminal cases. Child Investigator seeks to do a title where every child crime, including children as suspects of trafficking in persons, are attempted to be diverted and case degrees. It aims to protect the child's future interests, minimize mistakes of investigators, and to realize restorative justice.

- b. The investigator responsible for conducting the investigation is a child- specific investigator.

Not all investigators are child investigators. The child investigator is a special investigator who must have commitment, dedication, interest and attention to the child who is faced with the law applied during the investigation process, such as the process of familial child proofing, the process of prompt investigation of procedural, transparent, professional and child rights take precedence. Child investigations as traffickers in Polrestabes Surabaya, not all are handled by Child Investigators located in the Women and Children Service Unit. The process of investigation is also carried out by the Vice Control unit (VC)

- c. Child examination is done in a family atmosphere

The examination should be done in a family atmosphere considering that the perpetrator is still a child and preventing secondary victimization.

- d. The investigator shall require the consideration or advice of the Counselor of the Society, and if necessary, may also seek advice or advice from an educational expert, mental health professional, religious scholar or other community officer.

Child investigators are required to seek advice from a Community Guidance Counselor. Supervising Society as a correctional officer at the Penitentiary has the duty to assist and facilitate the tasks of investigators in child crime cases by providing reports of research results of the community. Through a research report derived from the Counselor of the Society can be a consideration for investigators to carry out actions such as detention or Case Degree.

- e. The right to legal aid and other assistance

Legal aid is an equality of arms which is the main duty of a legal advisor (L. Tanya, 2011). The main idea is that the legal process must be pro-justice, there must be an equality of arms between the suspect and the law enforcement cluster.

f. Arrest

A child who is caught red-handed or caught after a criminal offense must contain a mistake that can be either intentional or negligent. The investigator and the investigator in making the arrest shall have a proof of the beginning which may prove the child's misconduct to commit an act prohibited by law

g. Detention

Detention is the authority of the investigator, the detention of the child will be possible by the Child Investigator after seriously considering the interests of the child. Bearing in mind that detention of a child may result in dangerous criminal contamination. Child Investigators can make arrests not because the child makes a crime but so people do not make a crime. The purpose of this detention is to provide a deterrent effect or "*psychological threat*" to the child if he commits a crime again then he will feel the detention so that in accordance with the theory of relative penalties, punishment is given for the prevention of children not committing a crime (Apeldoorn, 2009).

h. Child investigation must be kept confidential

Child examination process is required to be kept secret to avoid the labeling process and protect the child's mental development, the investigator gives the press release so that the news is not distorted, exaggerated, and in accordance with facts that use ethical language. The reality shows that the various cases of trafficking in persons involving children are deliberately blow-up by various mass media, their intentions and objectives are none other than that the problems faced by children become the public consumption which will ultimately form the public perception of bad boys

## CONCLUSION

Children are part of the community and are citizens who must be protected because they are the next generation of nation which in the future will continue the milestones of the Indonesian nation. Each child in addition must get a formal education such as schools, also must get a moral education so that they can grow into a useful figure for the nation and state. Legal protection for children can be done as legal protection against various freedom and child rights. Child protection also includes interests related to child welfare. Protection of children in conflict with the law (ABH), is the joint responsibility of law enforcement officers.

The role of law enforcers in the protection of children of traffickers is carried out in accordance with the provisions of the Criminal Procedure Code and the Juvenile Court Law, among others, the examination of children in a familial atmosphere, the investigator shall require consideration from the Counselor of the Community, the right to legal assistance, the settlement of the case as soon as possible, and confidentiality in the process of child investigation.

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