



Juridical Analysis of Baby Dumping and Perpetrator Criminal Liability under the Penal Code and Child Protection Law

Farhan Naufal Ferdiansyah^{1*}, Rangga Jayanuarto², Hendi Sastra Putra³, Mikhorardinata⁴

Corresponding Author's e-mail: farhannaufal.tik@gmail.com

Article History

Manuscript submitted:
06 April 2026
Manuscript revised:
27 Mei 2026
Accepted for publication:
16 Juni 2026

Keywords

*Baby Dumping;
New Criminal Code;
Criminal Liability;
Child Protection.*

Abstract

The phenomenon of baby dumping in Indonesia is a complex criminal offense intersecting with moral, social, and legal dimensions. This study aims to analyze the regulatory framework for baby abandonment regarding the enactment of Law No. 1/2023 (the New Criminal Code/KUHP) and Law No. 35/2014 on Child Protection. Using a normative legal research method with a statutory approach, this study examines primary and secondary legal sources. The findings indicate that Articles 429-431 of the New Criminal Code reorient the provisions on child abandonment from the old Criminal Code toward a progressive justice system emphasizing restorative justice. However, these provisions still overlap with the Child Protection Law, which acts as a *lex specialis* by imposing more severe criminal sanctions. The novelty of this research lies in its critical analysis of legal synchronization precisely at the transition moment of the National Criminal Code's enactment as of January 2026, mapping the jurisdictional dualism between codified general criminal law and child protection law. Consequently, the success of law enforcement at this juncture heavily depends on the readiness of law enforcement officials, regulatory harmonization, and the strengthening of community-based preventive strategies through inter-institutional synergy and increased public awareness.

Copyright © 2025, The Author(s).
This is an open access article under the BY-NC-ND license



Contents

Abstract	772
Introduction	773
Methods.....	775
Results and Discussions.....	775
Conclusion.....	779
Reference	780

¹ Muhammadiyah University of Bengkulu, Bengkulu, Indonesia
² Muhammadiyah University of Bengkulu, Bengkulu, Indonesia
³ Muhammadiyah University of Bengkulu, Bengkulu, Indonesia
⁴ Muhammadiyah University of Bengkulu, Bengkulu, Indonesia



Introduction

Baby dumping is a persistent social and criminal problem in Indonesia, attracting growing concern among legal scholars, policymakers, and law enforcement agencies. The act involves the deliberate abandonment of a newborn infant in a public or isolated location, often resulting in the death or serious harm of the child. Beyond its criminal dimension, baby dumping reflects complex failures across moral, social, and legal domains. In 2023 and 2024, cases were documented across multiple Indonesian regions, including Cirebon, Bekasi, Tuban, Surabaya, Bone, Bolango, and Kupang, driven largely by unplanned pregnancies arising from unregulated social relationships outside of marriage (Simyapen et al., 2025).

The Indonesian legal system does not treat baby dumping as a purely moral matter. Article 28B(2) of the 1945 Constitution guarantees every child the right to survival, growth, and protection from violence and discrimination. Law Number 35 of 2014 on Child Protection reinforces this mandate by implementing Indonesia's obligations under the Convention on the Rights of the Child (CRC), requiring all decisions to prioritize the best interests of the child (Undang - Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang - Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak, 2014). At the same time, criminal liability for baby dumping has historically been governed by Articles 305 to 308 of the colonial-era Criminal Code (Wetboek van Strafrecht). Effective January 2, 2026, this statute will be replaced by Law Number 1 of 2023 on the National Criminal Code (KUHP Baru), introducing substantial normative changes to Indonesia's criminal justice system (Nugraha et al., 2023; Parindo et al., 2024).

The new Criminal Code represents a significant shift in the philosophy of criminal justice. Rather than focusing exclusively on the criminal act (*daad*), it also considers the character and circumstances of the perpetrator (*dader*), thereby promoting a more humanistic and rehabilitative orientation grounded in the values of Pancasila (Parindo et al., 2024). Within this reformed framework, the crime of baby dumping is reconstituted under Articles 429 to 431, which reorient the former provisions under Articles 304 to 308 of the old Code. Notably, the new Code enshrines restorative justice as a guiding principle in its sentencing framework, shifting the focus from purely punitive outcomes toward the repair of harm and the reintegration of offenders (Nasution et al., 2024; Nugraha et al., 2023). This normative transition raises important questions about how criminal liability will be determined and how the interests of the child will be protected under the new legal regime.

In Justitia (2018) research, analyzed infant abandonment from the perspective of child neglect, identifying three legal instruments that carry criminal sanctions against perpetrators: the Criminal Code (KUHP), Law No. 23 of 2004 on the Elimination of Domestic Violence, and Law No. 35 of 2014 on Child Protection and noted that the lack of effective prosecution remains a key contributing factor to the persistence of such cases (Justitia, 2019). In a similar vein, Oetomo (2022) examined criminal aspects of baby abandonment by irresponsible parents, emphasizing the intersection between penal provisions and child protection obligations (Oetomo et al., 2022). Rahmawati (2017) analyzed enforcement of baby abandonment law in Surakarta, finding that legal proceedings were conducted primarily under the Child Protection Law, and that no significant procedural obstacles to enforcement were observed (Rahmawati, 2017).

Mayang A. (2019) established that the most common perpetrators are biological mothers, driven primarily by fear of social stigma from out-of-wedlock pregnancies, and examined the criminal liability of all parties involved (Mayang A., 2019). Muryatini (2021) examined baby dumping from a human rights perspective, arguing that the increasing frequency of cases in recent years demonstrates the

absence of an effective deterrent effect from existing criminal provisions (Ni Nyoman Muryatini, 2021). Analyzed a 2024 court decision on baby dumping arising from an extramarital relationship, confirming the application of Articles 305 and 308 of the old Criminal Code, and noting that Indonesian judges frequently consider the perpetrator's psychological condition as a mitigating factor in sentencing (Sinaga & Naibaho, 2025).

In criminal law reform, Nasution, Ali, and Lubis (2024) conducted a literature review of the new Criminal Code's sentencing reforms, documenting a broader normative shift from retributive to humanistic and restorative approaches to punishment (Nasution et al., 2024). Nugraha et al. (2023) provided a comprehensive comparison between the old and new Criminal Codes, highlighting the new Code's progressive approach to human rights and vulnerable groups (Nugraha et al., 2023). Previous studies on infant abandonment have generally focused on the old Criminal Code (KUHP) or addressed specific aspects in isolation, such as criminal liability or child protection alone. No study has comprehensively integrated these two legal frameworks. Therefore, this study is crucial as there is still a lack of in-depth analysis on how the new Criminal Code and the Child Protection Act interact, specifically in examining how their *lex generalis*-*lex specialis* relationship shapes the patterns of criminal liability and child protection within the current Indonesian legal system.

This study is based on the theory of criminal liability, which provides an analytical foundation to examine the blameworthiness of the perpetrator's actions in infant abandonment under the new Criminal Code (KUHP) and the Child Protection Act. Referring to Fadlian (2020), criminal liability within Indonesian criminal law requires the establishment of a prohibited act, the presence of subjective fault (*schuld*), and the absence of any justifying or excusing defenses (Fadlian, 2020). This framework is appropriate for analyzing infant abandonment cases involving biological mothers as perpetrators, who in practice are often driven by extreme psychological and social pressures—conditions frequently considered by the panel of judges as mitigating factors in sentencing (Ni Nyoman Muryatini, 2021)(Sinaga & Naibaho, 2025). Furthermore, the principle of the best interests of the child, enshrined in the Convention on the Rights of the Child and Article 2 of Law No. 35 of 2014, serves as a normative standard against which all legal responses to infant abandonment are measured (Undang - Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang - Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak, 2014). As emphasized by Fitriani (2016), child protection inherently demands guarantees for the rights to survival, development, and dignified social participation, free from all forms of violence and discrimination (Fitriani, 2016a).

Through the integration of these two frameworks, the researcher enables a doctrinal analysis of the statutory provisions and a normative assessment of their adequacy in protecting children's rights and achieving justice. This study aims to: (1) analyze the regulatory framework for baby dumping under Law Number 1 of 2023, focusing on the normative changes introduced by Articles 429 to 431; (2) examine the mechanisms of criminal liability for baby dumping under both the new Criminal Code and the Child Protection Law; and (3) assess the interaction between these instruments and its implications for law enforcement practice. The study employs a normative legal research method, drawing on a statutory and conceptual approach and analyzing primary and secondary legal sources including legislation, academic literature, and relevant judicial decisions (Nugraha et al., 2023).

The findings of this study are expected to advance Indonesian criminal law scholarship by providing an analytically rigorous account of how baby dumping is regulated at this pivotal moment of legal transition. For law enforcement agencies, the study offers a framework for navigating the interaction between the new Criminal Code and the Child Protection Law. For legislators and policymakers, it identifies areas where regulatory synchronization and preventive social strategies are

required to ensure effective enforcement. Ultimately, the study serves the broader goal of realizing comprehensive, just, and child-centered legal responses to baby dumping in Indonesia.

Methods

This study employs a normative legal research methodology to examine how the legal provisions in Law Number 1 of 2023 on the Criminal Code (the New Criminal Code) and Law Number 35 of 2014 on Child Protection are applied within the Indonesian legal framework. This approach was selected as it enables the researcher to analyze statutory coherence in relation to the principles of legal protection and legal certainty, while identifying gaps or inconsistencies within the positive legal system. To address these issues, several approaches are utilized: first, a statutory approach is applied to compare the shifts in offense elements (*unsur delik*) and penal sanctions between the *Wetboek van Strafrecht* (the old Criminal Code), the New Criminal Code, and the Child Protection Act. Second, a conceptual approach is adopted to analyze the doctrines of criminal liability and the *lex specialis* principle. Third, a comparative approach is used to analyze the relationship between *lex generalis* and *lex specialis* to formulate a harmonized framework for victim protection.

The data sources for this research rely entirely on secondary data, which are categorized into two types of legal materials. The primary legal materials consist of Law No. 1/2023 and Law No. 35/2014, selected based on their jurisdictional relevance in regulating the criminalization of child abandonment in Indonesia. Meanwhile, the secondary legal materials encompass academic literature, such as scientific journals, legal textbooks, and expert opinions focusing on criminalization mechanisms and restorative justice. Legal materials were collected through systematic library research, which involved inventorying the legislative history of both laws, identifying equivalent provisions, and categorizing relevant academic literature.

The data analysis in this study applies a qualitative-normative technique carried out in four sequential stages. The first stage is the identification of legal sources to filter materials according to the research scope. The second stage consists of a substantive legal analysis, which dissects the core content of the articles to outline the offense elements, sanctions, and criminalization procedures. The third stage applies doctrinal interpretation through legal construction methods to uncover the deeper meaning and juridical implications of the examined articles. The final stage synthesizes the findings by correlating them with the research questions, while evaluating the conformity of these regulations with the principles of legal certainty and legal protection.

Results and Discussions

1. Criminal Liability for Baby Dumping under the Criminal Code

The enactment of Law Number 1 of 2023 concerning the Criminal Code, slated for implementation on January 2, 2026, has profoundly reshaped Indonesia's penal framework. This updated statute supplants the century-old colonial *Wetboek van Strafrecht*, introducing a reformative model that aligns more closely with principles of equity, humanitarianism, and the safeguarding of human entitlements (Nugraha et al., 2023). Pertaining specifically to the offense of newborn abandonment, the revised Criminal Code incorporates stipulations that markedly amend Articles 428–431 and 304–308 of the preceding Code.

Pursuant to Article 429, paragraph (1) of the new Criminal Code, the utmost sanction for deserting a minor below seven years of age to evade custodial duties is imprisonment for up to five years. This provision supersedes Article 305 of the former Criminal Code, which addressed the placement or desertion of a child under seven to absolve oneself of caregiving obligations. The requisite

components of the offense delineated in Article 429 encompass: firstly, the legal subject "any person," denoting that any individual may perpetrate the act; secondly, the conduct of "abandoning a child," signifying the placement or neglectful abandonment of the child; thirdly, the target of the offense as "a child under the age of 7"; and fourthly, the motive "to relinquish responsibility," reflecting the requisite element of deliberate intent. (Mayang A., 2019)

The legal construction of Article 430 of the new Criminal Code provides special treatment for mothers who engage in infant dumping immediately after giving birth out of fear of being discovered to have had a child. This provision is a special offense (*lex specialis*) that includes an element of leniency in sentencing, taking into account the perpetrator's psychological condition. The rationale behind this regulation is based on the understanding that the fear and mental pressure experienced by a biological mother who gives birth out of wedlock is a suffering in itself that deserves consideration for mitigation. (Rompas, 2017).

2. Liability for Baby Dumping from the Perspective of the Child Protection Act

A comprehensive legal framework for protecting children's rights, including protection against neglect and abandonment, is established by Law Number 35 of 2014, which amends Law Number 23 of 2002 on Child Protection. The ambit of protective initiatives encompasses all endeavors aimed at securing and enforcing children's rights, facilitating their dignified existence, maturation, advancement, and societal participation devoid of aggression and inequity (Fitriani, 2016b). Consequently, any conduct that overlooks or jeopardizes children's welfare, such as infant abandonment, constitutes a contravention of legal norms.

Article 76B of Law Number 35 of 2014 explicitly forbids any individual from positioning, sanctioning, perpetrating, directing, or participating in the neglect of a minor. Complementing this, Article 77B delineates the penal consequences for contravening this prohibition, encompassing a maximum monetary sanction of Rp 100,000,000.00 (one hundred million rupiah) and/or imprisonment for up to five years. The deliberate rejection of the duty to properly care for, nurture, or raise a child is known as child neglect. The most severe kind of neglect is baby dumping, which purposefully abandons the child in a situation where their life is at risk while also ignoring the duty to care for them. If infant abandonment involves physical violence, the court applies Article 80 of Law No. 35/2014, which carries a prison sentence of up to three years and six months for ordinary injuries, with more severe penalties if it results in serious injury or death (Justitia, 2019).

The foundational principle of the Child Protection Law is the best interests of the child, derived from Article 3(1) of the UN Convention on the Rights of the Child. This principle requires that in all legal proceedings involving child victims, the child's welfare, safety, and developmental interests take precedence over other considerations (Ramadanni et al., 2023). Baby dumping constitutes the most extreme form of child neglect, threatening the child's most fundamental right the right to life and therefore triggers the full protective scope of the Child Protection Law. The state's obligations under Article 20 of the Child Protection Law extend to government, society, family, and individuals, making child protection a shared responsibility rather than an individual one (Justitia, 2019).

3. Analysis of the New Criminal Law approach to Baby Abandonment

The new Criminal Code embodies a transformative shift away from an exclusively punitive paradigm toward a more compassionate and rehabilitative framework in conceptualizing criminal accountability. It amalgamates the three conventional doctrines of penalization absolute theory, relative

theory, and combination theory within its sanctioning structure, prioritizing offender reformation and the redress of harm to victims. (Muhammad Idris Nasution et al., 2024) This is consistent with Article 51 of the new Criminal Code, which states that the purpose of punishment is not only to exact revenge.

Criminal liability for baby dumping cannot be separated from the theory of fault in criminal law. According to criminal law doctrine, a person can be held criminally liable if they meet the elements of accountability (toerekeningsvatbaarheid), the existence of an internal connection between the perpetrator and the act in the form of intent (opzet) or negligence (culpa), and the absence of an excuse. In cases of baby dumping, the element of intent can generally be proven through the perpetrator's actions of consciously and intentionally abandoning the baby in a specific location with the intention of relinquishing responsibility. (Sinaga & Naibaho, 2025) However, assessing the perpetrator's ability to be responsible, particularly for a new mother, requires caution, considering psychological conditions such as the possibility of postpartum depression or mental stress due to social stigma, which can affect the perpetrator's ability to think rationally at the time of the act.

Criminal liability for baby dumping also needs to consider the factors that led to the perpetrator's actions. Research shows that most cases of baby dumping are committed by biological mothers who experience unwanted pregnancies due to extramarital sex, rape, or economic and mental unpreparedness for parenthood (Mayang A., 2019). These factors, although they do not negate the unlawful nature of the act, can be considered by the judge in delivering a just verdict, taking into account the balance between protecting legal interests (the child's right to life) and the objective circumstances of the perpetrator.

A comparative review provides useful benchmarks. Malaysia enacted the Child Act 2001 and, following a spike in baby dumping cases, introduced safe haven provisions in 2010 that decriminalize the surrender of newborns at designated facilities, reflecting a harm-reduction approach alongside criminal deterrence ("Laws of Malaysia Reprint," 2006). Singapore's Children and Young Persons Act similarly provides differentiated responses to child abandonment, balancing rehabilitation with punitive measures (Children and Young Persons Act, 1979) Indonesia's new KUHP, with its Article 430 leniency provision and explicit embrace of restorative justice, shares notable structural similarities with these reforms. However, Indonesia has yet to legislate a comprehensive safe haven framework, representing a significant policy gap that comparative experience suggests would reduce baby dumping incidence.

4. Harmonization of Regulations on the Crime of Baby Dumping between the New Criminal Code and the Child Protection Law

The Child Protection Law (Law No. 35 of 2014) and Law No. 1 of 2023 on the Criminal Code (new KUHP) exhibit substantial congruence in handling instances of child abandonment, framing it as a grave manifestation of neglect that infringes upon children's entitlements to survival, growth, and holistic safeguarding. The relationship between the new Criminal Code (KUHP) and the Child Protection Act in infant abandonment cases is marked by three points of operational misalignment, namely differences in substantive sentencing where the new Criminal Code provides a more proportionate tiered sentencing structure (five, seven, and nine years) while the Child Protection Act sets a heavier but less proportionate maximum sentence (ten years), discrepancies in restorative justice because the Child Protection Act does not contain provisions equivalent to Article 54 of the new Criminal Code which triggers significant obstacles to consistent law enforcement practices (Heliany & Tjandrawinata, 2025; Sine, 2024), as well as law enforcement coordination failures due to Indonesia's dualistic (separated) legal approach that lacks a unified government regulation, unlike the harmonious

single-roof legal approaches of New Zealand's Oranga Tamariki Act 1989 and the UK's Children Act 1989.

This alignment is evident in the shared goal of providing legal certainty and deterrence, where the Child Protection Law offers a broad framework of children's rights. In contrast, the new Criminal Code provides precise offense classifications and gradations of sanctions based on consequences. In practice, prosecutors can combine both to maximize protection for victims. For example, in cases of public infant dumping, Articles 429-430 of the Criminal Code can be combined with Article 77B of the Child Protection Law to increase the severity of the sentence and ensure the fulfillment of restorative justice for the child. In the positive legal system, the Child Protection Law serves as *lex specialis*, comprehensively regulating the substance of child rights protection, including definitions, forms of violence, and neglect, while the new Criminal Code (Law 1/2023) functions as *lex generalis*, governing crimes against children within the general criminal law structure. In a concrete case of child abandonment, the prosecutor can combine provisions from the Child Protection Law, such as the article on child neglect/violence, with Articles 429–430 of Law 1/2023 to prosecute the perpetrator with a heavier sentence and a child rights perspective. This prioritizes more specific and protective provisions for child victims, ensuring that justice is served and the social protection function of criminal law is fulfilled.

5. The Effectiveness of Implementing the New Criminal Code in Combating the Crime of Baby Dumping

Evaluating the efficacy of the revised Criminal Code in addressing infant abandonment requires a comprehensive analysis beyond mere normative frameworks. Drawing from Lawrence M. Friedman's legal systems theory, this assessment must encompass legal substance, structure, and culture. Substantively, the Code's incorporation of restorative justice, individualized sentencing, and humane penalties fosters a progressive legal paradigm. By prioritizing the child's best interests alongside the offender's circumstances, these provisions ostensibly afford judges greater discretion in delivering fair rulings (Parindo et al., 2024). The practical success of the Criminal Code hinges on the preparedness of legal institutions, particularly law enforcement bodies such as police, prosecutors, and courts, to assimilate and enact its novel principles. Empirical evidence from the Bangka Belitung Regional Police indicates that in 2025, 260 criminal cases were adjudicated via restorative justice, underscoring enforcement agencies' dedication to the Code's paradigm. Nonetheless, implementation outcomes fluctuate regionally, contingent upon individual officers' comprehension and commitment. (Keadilan Restoratif Hingga Pidana Sosial Warnai Penerapan KUHP Baru - ANTARA News Megapolitan, n.d.)

A primary impediment to enforcing the Criminal Code against baby dumping lies in the societal legal culture. Enduring stigmas surrounding extramarital pregnancies, inadequate public awareness of children's rights, and restricted access to reproductive health services and support for vulnerable expectant mothers exacerbate infant abandonment. Consequently, the Code's potential to deter and prosecute infanticide cannot rely exclusively on punitive measures; it necessitates integrated preventive strategies. Nevertheless, this approach confronts three massive structural hurdles: the inability of the infant, as the victim, to participate or provide authentic consent, which potentially marginalizes the child's rights (Sarwadi & Bawono, 2021); the risk of minimizing criminal liability for violating the non-derogable right to life (Article 28I of the 1945 Constitution and Article 6 of the ICCPR) (Muryatini, 2021); and systemic limitations such as the scarcity of mediation facilities, lack of institutional competence among law enforcement, and deeply entrenched local cultural stigma surrounding out-of-

wedlock pregnancies (Flora et al., 2023; Harisnaeni & Cahyaningtyas, 2021; Heliany & Tjandrawinata, 2025). Due to these complexities, restorative justice is only viable under highly strict and conditional circumstances such as when the infant survives unharmed and the perpetrator demonstrates genuine remorse while conventional criminal justice must remain the primary instrument (Ni Nyoman Muryatini, 2021).

The efficacy of the new Criminal Code in reducing infant abandonment rates is still hindered by gaps across all three of its dimensions. In the substantive dimension, despite being progressive [2][3], the law still lacks binding sentencing guidelines, faces evidentiary hurdles regarding the psychological element of 'fear of disclosure' under Article 430 in regions lacking forensic psychiatrists (Harisnaeni & Cahyaningtyas, 2021; Heliany & Tjandrawinata, 2025), and lacks a definitive legal definition of restorative justice for absent victims (Sine, 2024). In the structural dimension, the law enforcement burden is highly disproportionate; local success indicators (Joko Susilo, n.d.) contrast sharply with the National Police's nationwide data, which recorded 21,768 crimes against women and children (nabilal muhammad, n.d.), a situation further exacerbated by regulatory inconsistencies and a lack of training for personnel (Heliany & Tjandrawinata, 2025; Sari et al., 2022). Finally, in the legal culture dimension, criminal sanctions have proven insufficient on their own without preventive interventions targeting sociological root causes, such as the stigma of out-of-wedlock pregnancies and the lack of access to psychosocial support identified by the Ministry of Women's Empowerment and Child Protection (Ni Nyoman Muryatini, 2021). Consequently, the efficacy of this new law can only be optimized if supported by comprehensive prevention programs, ranging from reproductive health education to the strengthening of adoption infrastructures and childcare facilities (Fitriani, 2016b), and grounded in empirical, operational, and inter-agency coordinated technical guidelines.

Conclusion

Based on the research findings, it can be concluded that the regulation of infant abandonment in the New Criminal Code (Law No. 1/2023) and the Child Protection Act (Law No. 35/2014) marks a paradigm shift toward progressive justice. The New Criminal Code offers restorative justice for vulnerable mothers through Articles 429–430 (*lex generalis*), whereas the Child Protection Act enforces harsher sanctions through Article 77B to uphold the best interests of the child (*lex specialis*). Practically, these findings imply that policymakers must immediately draft technical guidelines to synchronize both laws, law enforcement officials must be trained to adopt a restorative mindset, and child protection agencies are required to optimize legal advocacy alongside protection programs for at-risk infants.

Nevertheless, this study is limited by its reliance solely on a normative approach, meaning it does not yet present empirical data regarding actual judicial interpretations during this transition period. Therefore, future research is recommended to utilize socio-legal methods to examine court rulings and infrastructural readiness across various regions. Finally, this research benefits the general public by providing insights into the changing legal landscape, raising awareness about the severe consequences of child neglect, and fostering collective social responsibility to dismantle the social stigma attached to vulnerable women fostering collective social responsibility to dismantle the social stigma surrounding vulnerable women.

Acknowledgments

The author would like to express sincere gratitude to all parties who provided support, input, and assistance in the preparation of this study. Their contributions were highly valuable in helping the author analyse the paradigm shift in the legal regulation of infant abandonment under the New Criminal Code

and the Child Protection Act, particularly in understanding the importance of restorative justice, the best interests of the child, and shared social responsibility in eliminating stigma against vulnerable women.

References

- Children and Young Persons Act* (Vol. 3). (1979). <https://sso.agc.gov.sg/Act-Rev/CYPA1993/Published/20011231?DocDate=19940315>
- Fadlian, A. (2020). Pertanggungjawaban Pidana Dalam Suatu Kerangka Teoritis. *Jurnal Hukum Positum*, 5(2), 10–19. <https://doi.org/10.35706/POSITUM.V5I2.5556>
- Fitriani, R. (2016a). Peranan Penyelenggara Perlindungan Anak Dalam Melindungi Dan Memenuhi Hak-Hak Anak. *Jurnal Hukum Samudra Keadilan*, 11(2).
- Fitriani, R. (2016b). Peranan Penyelenggara Perlindungan Anak Dalam Melindungi Dan Memenuhi Hak-Hak Anak. *Jurnal Hukum : Samudra Keadilan*, 11(2), 250–258.
- Flora, H. S., Thuong, M. T. H., & Erawati, R. D. (2023). The Orientation and Implications of New Criminal Code: An Analysis of Lawrence Friedman's Legal System. *Jurnal IUS Kajian Hukum Dan Keadilan*, 11(1), 113–125. <https://doi.org/10.29303/IUS.V11I1.1169>
- Harisnaeni, D. S., & Cahyaningtyas, I. (2021). Legal Protection for Children Victims of Postpartum Depression. *LAW REFORM*, 17(2), 157–167. <https://doi.org/10.14710/LR.V17I2.41740>
- Heliany, I., & Tjandrawinata, R. R. (2025). Reassessing Diversion and Restorative Justice in Indonesia's Juvenile Criminal System: Legal Paradigms, Policy Gaps, and Implementation Challenges. *JURNAL AKTA*, 12(4), 988. <https://doi.org/10.30659/AKTA.V12I4.46142>
- Undang - Undang Nomor 35 Tahun 2014 tentang Perubahan Atas Undang - Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak, Sekretariat Negara (2014).
- Joko Susilo. (n.d.). *Keadilan restoratif hingga pidana sosial warnai penerapan KUHP Baru - ANTARA News Megapolitan*. Retrieved May 27, 2026, from <https://megapolitan.antaranews.com/berita/478645/keadilan-restoratif-hingga-pidana-sosial-warnai-penerapan-kuhp-baru>
- Justitia, A. (2019). Pembuangan Bayi Dalam Perspektif Penelantaran Anak. *University Of Bengkulu Law Journal*, 3(1), 23–40. <https://doi.org/10.33369/ubelaj.v3i1.4801>
- Keadilan restoratif hingga pidana sosial warnai penerapan KUHP Baru - ANTARA News Megapolitan*. (n.d.). Retrieved January 7, 2026, from <https://megapolitan.antaranews.com/berita/478645/keadilan-restoratif-hingga-pidana-sosial-warnai-penerapan-kuhp-baru>
- Laws of Malaysia Reprint. (2006). In *Percetakan Nasional Malaysia BHD* (Issue January). http://www.moha.gov.my/images/borang/KK/MY_Explosives_Act_1957.pdf
- Mayang A., R. (2019). Tindak Pidana Pembuangan Anak yang Baru Dilahirkan Serta Pertanggungjawaban Pihak Terkait. *Jurist-Diction*, 2(2), 687. <https://doi.org/10.20473/jd.v2i2.14259>
- Muhammad Idris Nasution, Muhammad Ali, & Fauziah Lubis. (2024). Pembaruan Sistem Pidanaan di Indonesia: Kajian Literatur atas KUHP Baru. *Judge : Jurnal Hukum*, 5(1), 16–23.
- Muryatini, N. N. (2021). Pembuangan Bayi Dalam Perspektif Hak Asasi Manusia. *Jurnal Hukum Saraswati (JHS)*, 3(2). <https://doi.org/10.36733/JHSHS.V3I2.2962>
- nabilal muhammad. (n.d.). *21,000 Crimes Against Women and Children Reported in 2023: A Breakdown of Types*. Retrieved May 27, 2026, from <https://databoks.katadata.co.id/en/demographics/statistics/5295679cf27c1d7/21000-crimes->

- against-women-and-children-reported-in-2023-a-breakdown-of-types
- Nasution, M. I., Ali, M., & Lubis, F. (2024). Pembaruan Sistem Pidana di Indonesia: Kajian Literatur atas KUHP Baru. *Judge : Jurnal Hukum*, 5(01), 16–23. <https://doi.org/10.54209/judge.v5i02.xxx>
- Ni Nyoman Muryatini. (2021). Pembuangan Bayi Dalam Perspektif Hak Asasi Manusia. *Jurnal Hukum Saraswati (JHS)*, 3(2). <https://doi.org/10.36733/jhshs.v3i2.2962>
- Nugraha, R. S., Rohaedi, E., Kusnadi, N., & Abid, A. (2023). Transformasi Sistem Hukum Pidana di Indonesia : Perbandingan Komprehensif antara KUHP Lama dan KUHP Baru. *Reformasi Hukum*, 29(1), 1–21.
- Oetomo, F. S., Zendrat, W. H., & Fitra, M. (2022). Tindak Pidana Penelantaran Dan Pembuangan Terhadap Bayi Yang Dilakukan Oleh Orang Tua Yang Tidak Bertanggungjawab. *Seminar Nasional Hukum, Sosial Dan Ekonomi*, 1(1), 305–311. <https://jurnal.umsu.ac.id/index.php/sanksi/article/view/10091>
- Parindo, D., Daeng, Y., Atmaja, A. S., Putra, H. R., & Berson, H. (2024). Penerapan Konsep Dasar HAM dan Pembaharuan Tiga Pilar Utama Hukum Pidana dalam KUHP Baru UU No. 01 Tahun 2023. *Jurnal Hukum Indonesia*, 3(3), 129–142. <https://doi.org/10.58344/jhi.v3i3.796>
- Rahmawati, E. J. (2017). Penelantaran Anak (Bayi) dalam Perspektif Hukum Pidana (Studi Kasus Di Wilayah Kota Surakarta). *University Research Colloquium*, 6, 295–304.
- Ramadanni, M., Somawijaya, D., Raya, J., Soekarno Km, I., Kabupaten, J., Jawa, S., & Indonesia, B. (2023). Implikasi Hukum Terhadap Orang Tua Yang Menelantarkan Anak Ditinjau Dari Hukum Pidana Di Indonesia. *Lex Renaissance*, 8(2), 290–306. <https://doi.org/10.20885/JLR.VOL8.ISS2.ART6>
- Rompas, E. F. (2017). Pertanggungjawaban Pidana Terhadap Pelaku Penelantaran Anak Menurut UU No. 23 Tahun 2002 Jo UU Ri No. 35 Tahun 2014 Tentang Perlindungan Anak. *Lex Administratum*, 5(2), 142–148.
- Sari, D. P. Y. P., Sawitri, H. W., & Muflichah, S. (2022). Penerapan Prinsip Restorative Justice Dalam Sistem Peradilan Pidana Di Indonesia. *Soedirman Law Review*, 4(2). <https://doi.org/10.20884/1.SLR.2022.4.2.185>
- Sarwadi, S., & Bawono, B. T. (2021). Restorative Justice Approach in Diversion System for Settlement of Criminal Cases for Children in Indonesia. *Jurnal Daulat Hukum*, 3(4), 396–402. <https://doi.org/10.30659/JDH.V3I4.13145>
- Simyapen, J. M., Reumi, F., & Sawen, K. (2025). Kajian Kriminologi Terhadap Kejahatan Pembuangan Bayi Di Wilayah Hukum Kepolisian Resor Kota Jayapura. *Contemporary Law Journal*, 01(oktober), 1–10.
- Sinaga, M., & Naibaho, A. A. (2025). Pertanggungjawaban Pidana Pelaku Pembuangan Bayi Dari Hubungan Diluar Perkawinan (Studi Putusan Nomor 240/Pid.B/2024/PN Bln). *Jurnal Hukum Justice*, 3(1), 102–115.
- Sine, E. D. (2024). Meninjau Implementasi Keadilan Restoratif Yang Efektif. *Jurnal Hukum*.