Abstract

Many of children, which are the future of a nation, get less attention from their parents, family, and their surrounding than they should have got. Lack of attention causes some children to show deviant behavior and even committing crimes. One of such cases is the focus of this study. Doni Yoga Simangunsong and Rinaldy Sinaga were sentenced guilty for committing thievery by Pengadilan Negeri Pematang Siantar (The State Court Pemantang Siantar) in Putusan Nomor 162/Pid.B/2013/PN.PMS. The court decision raised some questions regarding Doni Yoga Simagunson’s age, which was eleven years old according to his identity evidence. However, cassation appeal was not made in response to the decision made by Pengadilan Tinggi Medan (The Court of Appeals Medan) which strengthened the previous decision made by Pengadilan Negeri Pematang Siantar on the case. Thus, a study regarding the criminal responsibility of children that have committed crimes and the ratio decidendi of the court decision on the case needs to be done to analyse the court decision according to the positive laws.

Key words: criminal responsibility, ratio decidendi of court decision, Doni Yoga Simangunsong