

# Legal Protection for Child Victims of Crime Sexual

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The purpose of this study is to find out how to analyze legal protection efforts for child victims of sexual crimes as well as preventive efforts by the police in reducing the number of cases of child victims of sexual crimes in the South Sulawesi regional police. This research is included in the category of empirical legal research, where this research is carried out by accumulating data by direct interviews with the research object, which is supported by legal materials and using qualitative data analysis methods. The results of this study show that legal protection for children victims of sexual crimes in the South Sulawesi Regional Police has not been optimally implemented, although there are several efforts such as an empathetic reporting process, assistance by the police, and collaboration with LPSK, the establishment of a special unit, a sexual violence prevention program in schools, and a rehabilitation program, but these efforts have not gone well. Although there have been various preventive measures, cases of sexual violence against children are still high, indicating the need for increased education and more effective protection policies. The recommendations given by the author are that it is hoped that increased training of investigators to handle sexual crimes against children, strengthen collaboration with related institutions, and expand the socialization of children's rights, and regular monitoring of protection programs also needs to be carried out.

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## INTRODUCTION

The Republic of Indonesia (NRI) is a country with runway base law (rechstaat), not based on on base power (machtstaat). As stated in the Constitution of the Republic of Indonesia (for next called as the 1945 Constitution) Article 1 paragraph 3 of 1945 which states "The State of Indonesia is a state based on law." [1]

Indonesia is a country that upholds tall dignity as well as dignity humans are also based on supremacy the law that guarantees happiness every its citizens, including protection will child, because child own authority that includes right basic man. Children's Human Rights are part from right basic guaranteed human being in Article 28B paragraph (2) of the 1945 Constitution. Emphasizing if each child own right For live, grow and develop in a way worthy, and entitled to obtain protection on all form violence and discrimination. [2]

Based on the Law Number 35 of 2014 concerning protection children in article 1 paragraph 1 children is someone where not yet exactly 18 (eight) twelve years, including child in the womb. Children are grace from the Almighty God who has dignity as well as dignity equivalent with adults. With because said, child need protection specifically to be able to grow as well as develop optimally in a healthy environment. As generation successor, child is hope nation, so that its existence must get attention full so that later Can to form useful individual For society, nation and country.

As its implementation government to validate Constitution Number 35 of 2014 concerning transformation from Constitution Number 23 of 2002 concerning protection child (for next called as the Child Protection Act), Article 76D of the Child Protection Act determines prohibition crime sexual will children, namely "Everyone is prohibited from do violence or threat violence force child

do intercourse with him or or with other people". [3]

Abuse sexual child is involving exploitation children by adults For fulfil desire sexuality . This action happen when someone who has mature to obtain stimulation or satisfaction sexual from children under 18 years of age . Being abuse sexual child including or pressuring ( forcing ) someone child running activity sexual , influence not indecent on tool genitals in children , showing pornography for child , relationship sexual real in children , contact physique with tool sex child , see tool sex child without contact physical also utilizes child use make pornography children . [4] From various existing cases , many perpetrator violence to child precisely done by someone who knows and is good enough near with the child concerned , even There is the perpetrator is the person who has connection family with child That alone , relationship neighbor or Already know child That previously . This is often make child keep quiet abuse or the rape that he natural , because the family that should be become place safe and provide protection for child precisely become place abuse sexual child That alone . [5]

Crime abuse sexual will child hold amount extremely high , according to notes system information protection women and children ( PPA symphony ) where in 2022 it was recorded there are 15,867 total cases and in 2023 it was recorded there are 17,625 total case violence sexual will children . President Jokowi emphasized that effort lower number violence sexual will child must done through three stages main . First , prevention involving family , school , and public in realize environment safe For child . Second , optimization system reporting as well as service complaint so that every case can handled with fast and precise . Third , Jokowi emphasized the need for major reforms in management Handling case violence to child , with integrated and comprehensive system use maximize service rehabilitation for the victims. [6]

The height case abuse sexual moment This impact bad in order public as well as environment , especially for children . Crime This the more rampant and majority the victim is child age early , so that push government as well as official area For take step more firm in protect them . In addition , the role active parents and government area is also very important in to build as well as guide children to grow in a more environment safe and good in the future . [7]

The end- the end this , various behavior negative in children the more often seen in life his daily life . Mass media , whether That print or electronics , generally to report act violence sexual to children under age in mode something that is getting bigger not humane . Children who are victims are not only experience material loss , but immaterial influence in the form of disturbance emotional as well as psychological where possible give influence on his future . The rise case violence sexual will child , I don't know that's what it 's run on fellow child or adults , with various modes and form increasing violence worrying , already cause restlessness in the midst society , especially for parents . [8 ]

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Violence sexual will child leave impact horrible , depending on the level severity and frequency . The more often child experience violence , increasingly in devastating trauma his mentality , even his recovery Can eat time lifelong alive . Parents No may they're careless must always supervising , guiding and educating children to understand limitation self as well as avoid from danger . injury physique Possible Can healed , but wound inner will imprint forever , destroy trust self , mental

health , and the future child . If left alone , this This will become threat Serious for generation upcoming .

Protection child covering all effort use guard as well as ensure authority them so they can live , grow and develop with maximum with full dignity . Children must protected on all over form violence as well as discrimination in order to create a quality , faithful , moral Indonesian generation noble , and life prosperous . [9]

Article 294 of the Criminal Code regulates punishment prison up to 7 years for perpetrator act obscene together children , people who are below supervision or subordinates , in law criminal , harassment sexual enter in criminal general .

Besides that Islam also forbids it all over form violence as well as oppression , including crime sexual , such as in Allah's word in QS An-Nur verse 33 :

Translation : “And those who do not capable Marry should guard ( self ) purity , until Allah gives ability to they with his gift . And if your slave servant have want covenant ( freedom ) , let it be You for agreement to they , if You know There is be kind to them , and give it to they part from the treasures of Allah which He has given you , and do not You force slave your woman For do prostitution , in progress they Alone want holiness , because You want to look for profit life worldly ”. [10]

Based on the word of Allah SWT the relation with study This that problem crime sexual is crimes that are also prohibited in the Islamic religion , therefore That so need For to study form protection to child victim of crime sexual .

The Relation together act criminal abuse sexual will child , as object of research this , writer take location research at the South Sulawesi Regional Police (Polda Sulsel ). Based on results search writer that the South Sulawesi Regional Police every year existence improvement amount Handling case abuse sexual to child . As in news ( sulselprov ) that existence case harassment in Makassar and Gowa

Based on background behind problem above , then formulation the problem that is how is it effort protection law to child victim of crime sexuality in the South Sulawesi Regional Police and how effort prevention party police in reduce case child victim of crime sexual in the South Sulawesi Regional Police . The purpose of study This For know and analyze effort protection law to child victim of crime sexual and effort prevention party police in reduce case child victim of crime sexual in the South Sulawesi Regional Police . And the use of study This capable play a role as references and guidelines for researchers For continue improvement knowledge law especially in law population and become input and learning public regarding the process carried out for those who want change identity on document its population .

## METHOD

Research methods This is study law empirical [11] which uses approach legislation and use purposive sampling technique , namely investigators South Sulawesi Regional Police which is direct Once handle crime sexual to child For Then become source person researcher . Research This use types and sources material law namely : materials primary law such as Constitution Number 39 of 1999 concerning Human Rights Human , Law Number 2 of 2002 concerning Republic of Indonesia Police , Law Number 23 of 2002 concerning Child Protection , Law Number 13 of 2006 concerning Witness and Victim Protection , Law Number 35 of 2014 concerning Child Protection ; materials law secondary like books , journals , results research , doctrine and others; and material law tertiary . Collection techniques material law with do interview with population study are 4 respondents at the Directorate of Criminal Investigation Investigation Subdit and 4 Renakta (

Teenagers , Children, and Women) in the Police South Sulawesi Region .

## **DISCUSSION**

### **Legal Protection Efforts for Child Victims of Crime Sexual In South Sulawesi Regional Police**

Protection law to child victim of crime sexual is one of aspect important in effort create justice and welfare children in Indonesia. [12] Crime sexual assault child own very big impact Good in a way physical , emotional , and psychological , so that need sensitive and interest - focused handling best for child . Government publish Law No. 23 of 2002 which has changed become Law No. 35 of 2014 concerning Child Protection , the aim is to ensure protection child own base strong law .

Protection child is a effort For ensure that children get rights them and protected from all form violence , exploitation , abuse , or detrimental treatment development physical , mental and social they . Protection This covers rights the basis owned child including right For live , grow , develop and participate in public .

the reporting process case crime sexual to child as following : [13]

Reception report from the victim, or the victim's family who knows incident said , then come to SPKT ( Service Center) Police Integrated ) in the police or through service complaints provided by the government or institution protection child . The officer who received report must own ability For respond with empathy , meaning enforcement to child No can be pressed as well as How child the comfortable and ensure that the reporting process No add burden psychological in children . After report accepted , officer police will verify information provided . This is done For ensure that the report submitted of course related with case crime sexual to child . The police will take notes all over relevant information with clear and detailed , including identity of victim, perpetrator , time , place events , and chronology incident . In case this , child must given very good and comfortable treatment , recording information done with the way that is not burdensome or triggering trauma in the victim.

In context protection law to child victim of crime sexual give certainty law to events experienced by the victim the perpetrator is also like that What will investigator do For fulfil hope We in a way our procedure is the main one That is assistance , then done examination by investigators ( female police ) , who will accompany children so as not to feel pressured . The inspection process this is very concerning aspect special related problem violence sexual .

During this process , we provide assistance , especially in matter submission victim witness , so that action can be taken criminal This can proven . If the child is a victim, we will submit application For submission restitution through LPSK. LPSK then do evaluation For give protection to child said , is it child This need protection or it is not in accordance with with results study they .

Related with investigation , the victim's child remains treated in accordance with existing procedures , starting from reception report until investigation . Examination carried out by female police and assistance carried out by the service related . For strengthen evidence , we also submit inspection psychology to children . We also comply with provision that information related the victim's child is not can published , good to the media and to public . This is is provision which is set in law , not only internal policies , and to protect privacy child victims. In the case of victims of violence sexual , good physique and sexual , we refer to the Law Child Protection Law Number 35 of 2014 which regulates threat punishment related articles 76D and 81.

With Thus , the solution is outside justice , such as mediation or settlement family , no can accepted For case violence sexual to child . This is to emphasize that the judicial process must still

implemented in accordance with applicable regulations , without Can done in a way restorative or through settlement family .

In addition we have collaboration with various agency related , such as the South Sulawesi Provincial UPT Service and LPSK in matter protection witnesses and victims. Work The same This covers various aspects , such as protection child , crossing prostitution , and restitution ( replacement) loss ). In some laws , such as Constitution Child Protection , TPKS, and TPPU, mentioned that protection for victims and witnesses must implemented in a way mandatory . Therefore that , in this process , we work The same with agency related to having authority in each field , starting from from Bapas , PPA Province , LPSK, to our institution plays a very important role in ensure this process walk fluent .

Table: Cases of Violence Sexual Against Children in the South Sulawesi Regional Police area

| Year         | Number of Cases |
|--------------|-----------------|
| 2022         | 21 Cases        |
| 2023         | 20 Cases        |
| 2024         | 33 Cases        |
| Total number | 74 Cases        |

Source : Directorate of Criminal Investigation South Sulawesi Regional Police 2022 to 2024

In 2022 , it was recorded as many as 21 cases , while in 2023 the number case A little decrease to 20. However , in 2024 , the number case experience improvement significant with a total of 33 cases recorded . Changes number case This show dynamics that occur from year to year , which is necessary attention more carry on For identify factors that influence number the .

Based on explanation above one constraint main in Handling case violence sexual to child is lack of understanding public about the law that regulates protection children . Many parents , families , and even public general that has not been fully understand rights children and protection available laws for they .

As a result , they tend see case violence sexual to child as problem personal or shame family that must covered than as a action criminals who must reported and handled in a way law .

View This often makes the victim not get proper protection and cause they Afraid For report or look for help . Fear of social stigma , shame , and the existence of assumption that incident the is shame for family can make the victim and his family choose to be silent. This is of course it is very detrimental , because without existence reporting , legal process No can walking , and the perpetrator violence sexual Can Keep going free do his actions towards other victims. Therefore that 's important For increase awareness public about importance report violence sexual , as well as introduce them to the rules and rights that children have in accordance with Constitution .

In terms of This our party has not quite enough answer big For ensure that rights child victims of violence sexual protected in a way maximum . In case this , the relationship our job is in enforcement law , which includes protection rights children , including fulfillment right they For get justice and appropriate treatment with applicable law . We make sure that any process that involves child victim executed with be careful , with notice need physical , psychological and legal they , as well as ensure that No There is neglected rights .

In addition , we are also responsible answer For take action perpetrator crime sexual in accordance with provision applicable law , so that the legal process can walk with transparent and fair . In terms of this , we ensure that every perpetrator will processed in a way law and given appropriate

sanctions with his actions , in order to give effect deterrence and protection to other victims . However , regarding restitution or change loss for the victim, this process No fully is in our hands as investigator . The judge will decide whether restitution worthy given to the victim or no , based on considerations and calculations carried out by LPSK. LPSK has role important in count magnitude proper restitution given to the victim, based on losses experienced consequence crime sexual said . After that , the judge will consider recommendation the in the verdict .

Decision regarding restitution This will listed in decision binding court , with consider various factors and evidence available . We remain play a role active in accompany victims through the legal process this , make sure that rights they , including right For get justice and restitution loss , still awake throughout the legal process .

According to writer that effort protection law to child victim of crime sexual in the South Sulawesi Regional Police shows existence serious effort in Handling case violence sexual to children . Empathetic reporting process , assistance by investigators ( female police ) , and collaboration with institution like LPSK very important steps For ensure rights child victims are protected with good . Although Already There is various effort preventive measures taken , improvement amount case violence sexual to child every year indicates that Still Lots challenges that must be faced , especially in change view society that often consider cases the as problem personal or shame family .

As for the shortcomings understanding public about rights children and protection available laws for they be one of constraint main in Handling case violence sexual to children . Many parents and families of victims feel Afraid will social stigma or shame , so that they choose For No report . In fact , with No existence report , perpetrator crime sexual Can free do action similar towards other victims. Therefore that , it is necessary There is more effort big For increase awareness public about importance report case violence sexual and introducing they are on the rules as well as rights child in accordance with existing laws .

In addition , collaboration between party police , LPSK, and institutions related others are very important For ensure comprehensive protection for child victim of crime sexual . In case this , despite the legal process must still walk with transparent and fair , it is also necessary to pay attention fulfillment rights psychological and social aspects of the victims. Solid collaboration between the institution will also ensure the restitution process for victims can walk with good and appropriate with applicable provisions , in order to provide maximum recovery for victims and effects deterrent for perpetrator .

## **Prevention Efforts Party Police in Reducing Cases of Child Victims of Sexual Crimes in the South Sulawesi Regional Police**

Crime or violence to children in Indonesia occurs in various type form crime like one of them abuse sexual . [14] Prevention case crime sexual to child is one of step important in protect the future generation successor nation . Crime sexual to child No only damage physical and mental, but can also influence development social and emotional child in term long , which can have implications for ability they in build connection healthy social , as well as build trust disturbed self . In addition , the trauma caused from action violence sexual can influence pattern thoughts and behavior children , even at risk of disruption prolonged psychological like depression , anxiety , and disorders stress post trauma. Impact This No only felt by the victim directly , but can also damage structure family and society in a way overall .

For reduce case violence sexual . One of the steps taken is through collaboration between police with various parties , Through steps this , we hope can increase awareness society and prevent the occurrence crime sexual to child .



There are some effort prevention that has been implemented by the party police in police South Sulawesi region , namely :

#### Socialization and education in schools

Party police specifically Policewoman do routinely socialization and education in various school start from level base until intermediate objective main from activity This is For give understanding to children about importance guard self , recognize danger , and knowing method protect self from violence sexual .

In socialization This children are also taught about rights they For feel safe and protected besides That party the police also educate they about method report incident or suspicious behavior to adults who can trusted such as teachers, parents , or officer police .

Activity like this is very important Because give chance children For recognize potential threat since early and know who can they trust For get assistance . Activities this also helps breaking down the stigma and fear that often obstruct child For speak about the violence they experience .

#### Mentoring and protection program law

Party the police also play a role important in provide mentoring programs for children as a victim of crime sexual . After case reported party police ensure that the victim gets mentoring psychological needs For help they through the trauma experienced No only That children as a victim also gets protection law For prevent they from threat or pressure more carry on from perpetrator crime sexual .

In terms of this , the police collaborate with institution protection children and non- governmental organizations that focus on rights child with the existence of a mentoring program that involves psychologist , worker social , and lawyers , it is hoped that victims can get justice as well as more recovery Good .

#### Special unit that handles case crime sexual to child

Police South Sulawesi region has form a special unit that focuses on handle case crime sexual to child of this unit consists of from trained members in interact with children and understand need special in investigation cases involving child victims , members of this unit trained For guard condition psychological children so as not to increasingly traumatized during the investigation process .

Special unit this also works The same with other institutions such as House sick , institution psychology , and organization protection child , for ensure the victim gets comprehensive care and protection . A more comprehensive approach sensitive and focused on the welfare of the victim is expected can reduce fear or frequent anxiety experienced children moment involved in the legal process .

#### Counseling law to parents and society

Other efforts made by the police is give counseling law to parents and society related laws that protect children from violence sexual . Counseling This aiming For increase parental understanding about rights child as well as importance supervision to children in life daily especially moment be outside House or using the internet.

In addition , parents are also taught method For recognize signs a possible child has become a victim of violence sexual as well as method support children so that they No feel Afraid For report the incident that happened they . Socialization This give supplies for parents For more proactive in

guard and protect children they .

#### Victim recovery and rehabilitation program

Apart from prevention , the police also focus on the recovery and rehabilitation of crime victims . sexual police Work The same with institution psychology and home Sick For give support psychological to children victims of crime sexual .

Rehabilitation program This aiming For help victims overcome the trauma they have experienced natural and giving they room For recover mentally and emotionally rehabilitation This covers individual counseling , therapy groups , and support very important social in help victims to be able to return undergo life they normally . The police also ensured that the legal process is ongoing No add pressure for the victims and them get attention full during the legal process .

Efforts made by the parties police in prevent violence sexual to child show strong commitment For protect generation upcoming through various educational programs , socialization , and the formation of special units , police Work hard For create awareness in society and provide more protection effective for children . [15]

Writer to argue that efforts made police South Sulawesi region in prevent violence sexual to children are very important and deserve appreciated . Socialization at school and mentoring law for the victim to show strong commitment For protect children , with education that begins since early , children expected can more Ready face potential threat and know who can they trust For request assistance . However , the challenges big Still there is , especially in increase awareness society . Many parents have not fully understand importance protection children and rights them . Therefore that , education to society , especially parents , need to improved For ensure protection maximum for children and encourage reporting violence sexual that occurs .

## CONCLUSION

Protection efforts law to child victim of crime sexual assault at the South Sulawesi Regional Police was carried out from the handling process case started with reception report made in a way sensitive and empathetic For guard comfort psychological victim. After that , investigators ( female police ) work The same with institution related , such as LPSK, to give assistance and ensuring legal processes walk in accordance with applicable procedures . Prevention efforts violence against children in the South Sulawesi Regional Police have do various effort prevention through socialization at school , mentoring law for victims, formation of special units , counseling to parents , and rehabilitation programs . Steps This aiming increase awareness society , protecting children , and provide the support that victims need .

Should expected party police increase training special for investigators who handle case violence sexual child , strengthen collaboration LPSK institutions and institutions psychology in give support for victims and expanding socialization at school with involving parents and teachers to remind awareness .

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