

Juridical Review of the Criminalization of Perpetrators of Sexual Violence Against Children (Study of Decision Number: 815/Pid.Sus/2025/PN.Tjk)

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Abstract

Sexual violence against children constitutes a serious crime that causes long-term physical, psychological, and social harm and requires optimal legal protection through the criminal justice system. This study aims to analyze the application of criminal law and the judge's considerations in sentencing perpetrators of sexual violence against children based on Decision of the Tanjung Karang District Court Number 815/Pid.Sus/2025/PN.TJK. The research employs normative juridical and empirical juridical approaches by examining relevant laws and regulations as well as analyzing court decisions. The results indicate that the judges appropriately applied the elements of the criminal offense and considered child protection aspects, evidentiary factors, the condition of the perpetrator, and the impact on the victim. The sentencing imposed in the decision fulfills the principles of legal certainty, justice, and expediency. Nevertheless, strengthening regulations and enhancing the capacity of law enforcement officers remain necessary to ensure comprehensive handling of cases of sexual violence against children and to prioritize victim protection.

Keywords: *punishment, sexual violence, children, child protection, judicial considerations*

A. Introduction

Sexual violence against children constitutes one of the most serious forms of crime, as it not only violates legal and moral norms but also undermines the dignity and honor of children¹ and causes long-term impacts on their physical, psychological, and social development². Children who become victims of sexual violence often experience profound trauma³, psychological disorders⁴, social stigma (stigmatization)⁵, and obstacles in their

¹ Eny Nur Aisyah, "Analisis Eksploitasi Anak Oleh Orang Tua: Perspektif Sosiologis, Hukum Islam (Maqasid Al-Syarī 'ah), Dan Undang-Undang Nomor 35 Tahun 2014," *Al-Zayn: Jurnal Ilmu Sosial & Hukum* 3, no. 6 (2025): 10301-12.

² Utami Zahirah, Nunung Nurwati, and Hetty Krisnani, "Dampak Dan Penanganan Kekerasan Seksual Anak Di Keluarga," *Prosiding Penelitian Dan Pengabdian Kepada Masyarakat* 6, no. 1 (2019): 10.

³ Lia Mita Syahri and Ifdil Ifdil, "Penggunaan Play Therapy Dalam Mengurangi Rasa Trauma Anak Yang Mengalami Kekerasan Seksual," *SCHOOLID: Indonesian Journal of School Counseling* 4, no. 2 (2019): 48-55.

⁴ Rini Rini, "Dampak Psikologis Jangka Panjang Kekerasan Seksual Anak (Komparasi Faktor: Pelaku, Tipe, Cara, Keterbukaan Dan Dukungan Sosial)," *IKRA-ITH HUMANIORA: Jurnal Sosial Dan Humaniora* 4, no. 3 (2020): 1-12.

⁵ Aqmal Maulana Saputra, "Problem Psiko-Sosiologis: Menelaah Dampak Traumatis Kekerasan Seksual Terhadap Anak," *Pratyaksa: Jurnal Ilmu Pendidikan, Sosial Dan Humaniora* 1, no. 1 (2025): 177-88.

growth and development⁶, which may persist into adulthood. These impacts indicate that sexual violence against children is not merely a criminal offense against an individual, but also a broader social problem that threatens the future of the nation's younger generation as well⁷ as the welfare and rights of children.⁸

Children, as the future generation of the nation, possess constitutional rights to obtain protection from all forms of violence⁹ and inhumane treatment¹⁰. These rights are explicitly guaranteed in the 1945 Constitution of the Republic of Indonesia and are further strengthened through various national legal instruments governing child protection. This legal framework reflects the state's commitment to safeguarding children's rights and ensuring their well-being. In addition, Indonesia has ratified several international conventions related to child protection, such as the Convention on the Rights of the Child (CRC)¹¹, which obliges the state to take legislative, administrative, and social measures to protect children from all forms of violence, including sexual violence. Therefore, protecting children from sexual crimes is not merely a legal obligation but also a moral and humanitarian responsibility that must be carried out by the state, society, and family.

Within the context of positive law in Indonesia, acts of sexual violence against children are regulated under various statutory provisions. These include Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 on Child Protection, Law No. 17 of 2016 which strengthens sanctions against perpetrators of sexual crimes against children, and Law No. 12 of 2022 on Sexual Violence Crimes. These legal instruments demonstrate the government's commitment to providing stronger and more comprehensive legal protection for children as a vulnerable group¹². The regulations not only govern criminal sanctions for perpetrators but also emphasize the importance of victim protection, recovery mechanisms, and the responsibility of the state to ensure that justice is achieved for victims.¹³

Although the existing regulatory framework is relatively comprehensive, its implementation in law enforcement practice continues to face various challenges. One significant issue relates to differences in judicial considerations in determining criminal liability and the imposition of sanctions in cases of sexual violence against children. In

⁶ Maulidya Maharani et al., "Strategi Pencegahan Kekerasan Seksual Pada Anak Disabilitas," *Jurnal PAUD Agapedia* 9, no. 1 (2025): 131–36.

⁷ Dimas Handoko and Yeni Widowaty, "Analisis Perlindungan Hukum Terhadap Anak Sebagai Korban Kejahatan Kekerasan Seksual," *Media of Law and Sharia* 4, no. 1 (2022): 14–33.

⁸ Endang Prastini, "Kekerasan Terhadap Anak Dan Upaya Perlindungan Anak Di Indonesia," *Jurnal Citizenship Virtues* 4, no. 2 (2024): 760–70.

⁹ Vivin Restia and Ridwan Arifin, "Perlindungan Hukum Bagi Anak Sebagai Korban Kekerasan Dalam Rumah Tangga," *Nurani Hukum* 2, no. 1 (2020): 23–32.

¹⁰ Arista Candra Irawati, "Konstruksi Hukum Kerahasiaan Identitas Anak Terhadap Korban, Pelaku Dalam Perspektif Hak Asasi Manusia," *Rampai Jurnal Hukum (RJH)* 1, no. 1 (2022).

¹¹ Hari Sri Anggraeni, Mohamad Tohari, and Tri Susilowati, "Analisis Hukum Atas Akses Pendidikan Bagi Anak-Anak Migran Indonesia Di Malaysia Berdasarkan Konvensi Hak Anak Dan Hukum Malaysia," *INNOVATIVE: Journal Of Social Science Research* 5, no. 2 (2025): 768–81.

¹² Hannes Magdalena Hutagalung, "Tanggung Jawab Negara Terhadap Perlindungan Anak Sebagai Kelompok Rentan Dalam Perspektif Hak Asasi Manusia," *DEDIKASI: Jurnal Ilmiah Sosial, Hukum, Budaya* 24, no. 2 (2023): 1–14.

¹³ Arista Pakaya, Suwitno Yutye Imran, and Karlin Z Mamu, "Aspek Viktimologi Dalam Pemenuhan Hak Restitusi Tindak Pidana Kekerasan Seksual Pada Anak Di Kabupaten Bone Bolango," *JURNAL POLAHI* 3, no. 2 (2025): 48–62.

many cases, court decisions reveal variations in judges' reasoning¹⁴, the assessment of admissible evidence¹⁵, and the severity of the penalties imposed¹⁶. Such variations may lead to sentencing disparities and raise questions regarding the consistency of law enforcement as well as the extent to which court decisions reflect the principles of justice and child protection.

These differences in judicial considerations are closely related to the fundamental objectives of criminal law itself. Criminal law is expected to simultaneously realize justice, legal certainty, and social utility¹⁷. Although conceptually criminal law is often regarded as an *ultimum remedium*, in cases involving sexual violence against children it frequently functions as a *primum remedium*¹⁸, given the severe consequences of such crimes and the urgent need to provide maximum protection for victims. Therefore, judicial decisions in cases of sexual violence against children should not merely focus on the formal fulfillment of the elements of the criminal offense, but must also take into account broader aspects of justice, including the best interests of the child, the psychological impact experienced by the victim, and the preventive function of criminal punishment.

Several previous studies have examined sexual violence against children from various perspectives. Studies in the fields of criminal law and child protection generally focus on normative analyses of the Child Protection Law¹⁹, the effectiveness of criminal sanctions against perpetrators²⁰, and the implementation of regulations in efforts to prevent sexual violence against children^{21,22}. Other studies highlight the role of law enforcement institutions in providing protection for victims²³, including mechanisms for the psychological and social recovery of children who have experienced sexual violence²⁴. In

¹⁴ Violita Fijannatin Aliyah et al., "Implementasi Keadilan Gender Dalam Putusan Pengadilan," *CENDEKIA: Jurnal Penelitian Dan Pengkajian Ilmiah* 2, no. 7 (2025): 1052–63.

¹⁵ Hudha Bagus Setyadi and Indah Sri Utari, "Relevansi Yuridis Dan Sosiologis Testimonium De Auditu Dalam Pembuktian Tindak Pidana Kekerasan Seksual," *Bookchapter Hukum Dan Lingkungan* 1 (2025): 724–73.

¹⁶ Alivya Valerina Salsa Putri, "Analisis Disparitas Pidana Pada Tindak Pidana Pemerkosaan (Studi Putusan Pengadilan Negeri Se-Sulsel 2019–2021)" (Universitas Hasanuddin, 2023).

¹⁷ Gloria Wulan Sharon Tuegeh et al., "Akibat Hukum Bagi Anggota Polri Yang Melakukan Tindak Pidana Pemerasan Dengan Ancaman Kekerasan (Studi Putusan Nomor 205/Pid. B/2022/PN Mnd)," *Lex Journal: Kajian Hukum Dan Keadilan* 8, no. 2 (2024): 347–62.

¹⁸ Elfa Murdiana and Alendra Nauval Mufti Rayhan, "Reformasi Hukum Pidana Kekerasan Seksual Dari KUHP Ke Keadilan Korban," *Jurnal Supremasi* 15, no. 2 (2025): 63–82.

¹⁹ Lina Panggabean, Triono Eddy, and Alpi Sahari, "Perlindungan Hukum Terhadap Anak Sebagai Korban Kekerasan Seksual (Analisis Undang-Undang Perlindungan Saksi Dan Korban)," *Iuris Studia: Jurnal Kajian Hukum* 5, no. 1 (2024): 20–28.

²⁰ Julia Handayani et al., "Efektivitas Sanksi Pidana Terhadap Pelaku Kekerasan Seksual," *Jurnal Ilmu Hukum Dan Keadilan* 1, no. 1 (2026): 13–15.

²¹ Ni Made Darmakanti, Ni Putu Rai Yuliantini, and Dewa Gede Sudika Mangku, "Implementasi Perlindungan Hukum Terhadap Anak Korban Kekerasan Seksual Di Kota Singaraja," *Jurnal Komunitas Yustisia* 5, no. 2 (2022): 1–17.

²² Prianter Jaya Hairi and Marfuatul Latifah, "Implementasi Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual," *Jurnal Negara Hukum* 14, no. 2 (2023): 163–79.

²³ Herli Antoni, Asmak Ul Hosnah, and Angelica Clara Anasztasia Simanjuntak, "Perlindungan Hukum Bagi Korban Kekerasan Seksual Pada Anak Berdasarkan Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual," *Logika: Jurnal Penelitian Universitas Kuningan* 15, no. 02 (2024): 235–47.

²⁴ Dwi Dasa Suryantoro, "Efektivitas Perlindungan Hukum Terhadap Korban Pemerkosaan Dalam Undang-Undang Tindak Pidana Kekerasan Seksual (UU TPKS)," *USRAH: Jurnal Hukum Keluarga Islam* 5, no. 2 (2024): 298–309.

addition, some research has examined the severity of sentences imposed on perpetrators²⁵ and their relevance to the objectives of punishment within the Indonesian criminal justice system²⁶.

However, most of these studies tend to focus on normative analyses of statutory regulations or on general discussions regarding legal protection for children, without conducting an in-depth examination of judicial reasoning in specific court decisions. Research that analyzes court judgments is often limited to describing the contents of the decisions without providing a critical evaluation of the consistency between the judges' legal considerations and the principles of child protection as well as the objectives of criminal punishment. Consequently, there remains a limited body of academic research that specifically examines how judges integrate juridical and non-juridical considerations when imposing criminal sanctions in cases of sexual violence against children.

Decision Number 815/Pid.Sus/2025/PN.TJK of the Tanjung Karang District Court represents a case worthy of scholarly examination, as it concerns a criminal offense of sexual violence against a child involving a relatively high level of juridical complexity. The decision encompasses various legal considerations related to the fulfillment of the elements of the criminal offense, the assessment of admissible evidence, the criminal liability of the perpetrator, and the imposition of criminal sanctions. In addition, the judges were also confronted with the obligation to consider the impact of the offense on the child victim, including psychological trauma, social consequences, and the necessity of ensuring justice for the victim.

In this context, an examination of the judges' legal reasoning becomes highly important in order to understand how the principles of child protection and substantive justice are implemented in judicial practice. Judicial reasoning does not merely reflect the application of written legal norms, but also represents an interpretation of the values of justice that grow and develop within society²⁷. Therefore, an analysis of court decisions can provide a clearer understanding of how legal norms are translated into concrete judicial rulings.

Based on the aforementioned background, this article aims to examine the sentencing of perpetrators of sexual violence against children through a juridical analysis of the Tanjung Karang District Court Decision Number 815/Pid.Sus/2025/PN.TJK. This study focuses on analyzing the legal considerations employed by the judges in determining the criminal liability of the perpetrator, as well as assessing the extent to which the imposed sentence aligns with the principles of child protection and the objectives of punishment within criminal law.

The novelty of this study lies in its analytical approach, which integrates the examination of both juridical and non-juridical considerations within the framework of judicial reasoning. Unlike previous studies that generally focus solely on normative analyses of statutory regulations or provide descriptive explanations of court decisions, this research conducts a critical evaluation of the consistency between the application of substantive and procedural criminal law, the objectives of punishment, and the principle

²⁵ Januaria Yustina Uis Loim, Rudepel Petrus Leo, and Daud Dima Tallo, "Disparitas Putusan Hakim Dalam Kasus Kekerasan Seksual Terhadap Anak," *COMSERVA* 3, no. 1 (2023): 369–85.

²⁶ Hanri Aldino and Liza Agnesta Krisna, "Pemidanaan Pelaku Kekerasan Seksual Menurut Pandangan Peradilan Pidana," *Jurnal Hukum Samudra Keadilan* 18, no. Khusus (2023): 183–96.

²⁷ Christina Maya Indah, "Menggagas Cita Moral Dalam Penafsiran Hukum Hakim," *Refleksi Hukum: Jurnal Ilmu Hukum* 4, no. 1 (2019): 41–60.

of the best interests of the child. By emphasizing the analysis of a decision from the Tanjung Karang District Court, this study also offers a contextual perspective on how criminal law is applied in handling cases of sexual violence against children.

Furthermore, this study highlights how judicial decisions may either strengthen or weaken the protection of child victims, depending on the interpretation and considerations employed by the judges. Through an in-depth analysis of the decision, this article seeks to determine whether the ruling reflects substantive justice and adequate protection of children's rights, or whether there remain aspects that require improvement within criminal justice practice. Therefore, this research is expected to provide a new academic contribution to the study of criminal law and child protection, while also serving as a reflective reference for law enforcement authorities so that sentencing in cases of sexual violence against children is not solely oriented toward legal certainty, but also toward ensuring maximum protection and justice for child victims.

B. Research Methods

This research uses a normative juridical approach combined with case study analysis²⁸. The focus of the study is directed to analyze the application of criminal law to perpetrators of sexual violence against children through the Tanjung Karang District Court Decision Number 815/Pid.Sus/2025/PN. TJK. The legislative approach is used to examine relevant positive legal provisions, in particular the Child Protection Law, the Sexual Violence Crime Law, and the Child Criminal Justice System Law. In addition, a conceptual approach is used to examine criminal theory and criminal responsibility, and a case approach is used to examine the application of legal norms by judges in decisions that are the object of research.

The source of legal materials in this study consists of primary and secondary legal materials²⁹. Primary legal materials include laws and regulations related to sexual violence against children and court decisions analyzed. Secondary legal materials are obtained from criminal law textbooks, scientific journals, the results of previous research, as well as doctrines and opinions of experts relevant to the issue of criminalization and child protection. All legal materials are collected through literature studies by tracing and examining legal sources that are directly related to research problems.

The analysis of legal materials is carried out qualitatively by identifying and interpreting the applicable legal norms, then relating them to the legal facts and considerations of the judge in the decision being reviewed. The analysis is focused on assessing the suitability between the application of criminal law in decisions and the principles of justice, legal certainty, and child protection, so that an overview of the accuracy of the punishment of perpetrators of sexual violence against children in judicial practice is obtained.

²⁸ Arlina Azzahra and Arista Candra Irawati, "Pertanggungjawaban Pidana Pada Tindak Pidana Persetubuhan Terhadap Korban Anak (Studi Kasus Polres Semarang): Penelitian," *Jurnal Pengabdian Masyarakat Dan Riset Pendidikan* 4, no. 1 (2025): 1746-49.

²⁹ Wiwin Mawarni, Rahmatul Hidayati, and Abdul Rokhim, "Perlindungan Hukum Terhadap Anak Korban Kekerasan Seksual Menurut Hukum Positif Di Indonesia (Analisis Putusan Nomor 320/Pid. Sus/2022/PN. Kpn)," *Jurnal Mercatoria* 16, no. 1 (2023): 13-30.

C. Results and Discussion

1. Overview

This case of sexual violence involves a 30-year-old male defendant who works as a self-employed person. Ironically, the defendant had a kinship relationship with the victim—a 13-year-old girl—who was supposed to get protection from him. Based on the facts of the trial, this criminal act was carried out repeatedly in the period from September to November 2024 at the defendant's house located in Bandar Lampung. The modus operandi used was to take advantage of the situation when the victim was staying and use verbal threats in the form of blows to paralyze the victim's resistance.

Juridically, the defendant's actions have fulfilled the elements of violation of the law as stipulated in Article 76D of Law No. 35 of 2014 which expressly prohibits everyone from committing violence or threats of violence to force children to have intercourse. For this violation, the defendant was charged based on Article 81 Paragraph (1) of Law No. 17 of 2016 (Amendments to the Child Protection Law) with a threat of imprisonment of a minimum of 5 years and a maximum of 15 years and a maximum fine of Rp5 billion.

The fact of this crime is corroborated by some evidence. The intensity of the crime showed the occurrence of sexual intercourse three times and molestation once. Medical evidence from the results of *Visum Et Repertum* showed that there was a long tear in the victim's hymen. In addition, the psychological impact on the victim is also significant, as evidenced by the diagnosis of excessive anxiety, sleep disorders, and profound social trauma.

Given the position of sexual violence against children as a serious crime, the law provides room for the imposition of sanctions of up to one-third if the perpetrator has a close relationship or power with the victim. In this case, the Public Prosecutor charged the defendant with 11 years in prison and a fine of Rp60 million. Strict law enforcement in this case is crucial, not only as an effort to provide justice for the victims, but also as a manifestation of the state's commitment to protecting the growth and development of children from all forms of sexual exploitation and violence.

2. Elements of Criminal Acts

The elements of the criminal act charged and proven in Decision Number 815/Pid.Sus/2025/PN Tjk are based on Article 81 Paragraph (1) of Law of the Republic of Indonesia Number 17 of 2016 concerning the Stipulation of Perppu Number 1 of 2016 into Law, which is an amendment to the Child Protection Law. The subjective or intentional element requires the perpetrator to have the intention or will (*dolus*) to commit a prohibited act; In this case, the Panel of Judges proved that the Defendant knowingly and deliberately committed acts of sexual intercourse and/or molestation of children, including entering the victim's room, undressing his clothes, and forcing intercourse. The perpetrator element refers to every person who is responsible for a criminal act, where the Defendant is proven to be the perpetrator based on the identity and testimony of witnesses. The object element emphasizes that the victim is a child, namely an individual under the age of 18; The victim in this case is 13 years old, so it meets that definition.

Elements of how to show that the act was carried out through violence, threats, or coercion, not on the basis of consensuality, such as the use of physical force that causes pain or injury, verbal threats, and coercion for the victim to comply with the will of the

perpetrator; The relevance to the case can be seen from the Defendant's threats in the form of the words "SHUT UP!" and physical violence to subdue the victim. The element of the act emphasized the existence of intercourse committed by the Defendant against the victim; This is proven through the Defendant's confession at trial, the victim's statement, and the results of the Visum Et Repertum which showed signs of forced rape such as tearing of the hymen and trauma.

3. Judge's Legal Considerations

The Panel of Judges in this Decision first proves the fulfillment of the elements of the criminal act as stipulated in Article 81 Paragraph (1) of Law No. 17 of 2016 jo. Article 76D of Law No. 35 of 2014 concerning Child Protection, based on the facts revealed at the trial (juridical facts). In addition, the Judge also considered special matters that affect the punishment, such as the provisions for the imposition of punishment according to Article 81 Paragraph (3) of the Child Protection Law because the Defendant had a family relationship with the victim (the husband of the victim's mother's cousin), as well as the severe psychological impact on the victim, including excessive anxiety, difficulty sleeping, and fear of socializing, as tangible evidence of the harm caused.

In determining the light severity of the crime, the Panel of Judges also considers aggravating and mitigating factors. The aggravating factors include the Defendant's actions that were very troubling and damaging to the future of the victim's child, carried out repeatedly, and the Defendant was a close relative who was supposed to protect, not destroy. Mitigating factors include the Defendant's polite attitude during the trial, not having a previous criminal record, and remorse for his actions. Based on all these considerations, including the fulfillment of the criminal elements, aggravating factors, and the demands of the Public Prosecutor (11 years), the Panel of Judges declared the Defendant guilty and sentenced the crime that was considered appropriate in accordance with the applicable legal provisions.

4. Criminalization of Perpetrators

The Public Prosecutor's (JPU) demands are a proposed criminal punishment submitted against the Defendant. In this case, the prosecutor demanded a prison sentence of 11 (eleven) years and a fine of Rp60,000,000 (sixty million rupiah), with the provision of a subsidy of 6 (six) months of imprisonment if the fine is not paid. The 11-year charge is between the minimum limit (5 years) and the maximum limit (15 years) as stipulated in Article 81 Paragraph (1) of Law No. 17 of 2016, and has considered the burden of 1/3 due to the family relationship between the Defendant and the victim.

Based on the legal considerations that have been described, including the fulfillment of all criminal elements, the existence of aggravating factors due to family relationships, and the impact of trauma experienced by the victim, the Panel of Judges stated that the Defendant was legally and convincingly proven to have violated Article 81 Paragraph (1) of Law No. 17 of 2016 jo. Article 76D of Law No. 35 of 2014 concerning Child Protection, namely deliberately committing violence or threats of violence to force children to have intercourse with him. The Panel of Judges sentenced him to imprisonment according to the prosecutor's demands and ordered the Defendant to pay a fine of Rp60,000,000,-; If the Defendant is unable to pay, the fine is replaced with imprisonment.

5. Justice and Child Protection

Retributive justice is achieved when the perpetrator receives sanctions commensurate with the crime he committed. In the context of the Child Protection Law, Article 81 sets a high minimum criminal threat (5 years) and allows the imposition of punishment of up to 1/3 if the perpetrator has a family relationship or trust with the victim. The Panel of Judges has legally and convincingly proven that the Defendant is guilty, based on the Defendant's confession, the victim's statement, and medical evidence in the form of *Visum Et Repertum*, so that a high prison sentence, as demanded by the Prosecutor for 11 years, as well as the fine imposed is a form of strict criminal responsibility from the state for serious violations of children's rights.

In addition, justice for child victims should emphasize recovery and protection from further trauma (secondary non-victimization). Victims are entitled to comprehensive physical and psychological health recovery services, which can be facilitated through institutions such as the Integrated Service Center for Women's and Children's Empowerment (P2TP2A) or hospitals. The victim's child also has the right to file a claim for compensation (restitution) against the Defendant to cover the cost of treatment, psychological recovery, as well as other material and immaterial losses, and the Judge may order the Defendant to pay restitution as part of the verdict. All judicial decisions must always be based on The Best Interest of The Child, where severe punishment is not only a sanction for the perpetrator, but also serves as a strong warning to the public that sexual crimes against children will be dealt with strictly, while ensuring that the victim can continue his life with minimal trauma.

D. Conclusions and Recommendations

Based on the above analysis, it can be concluded that Law Number 35 of 2014 jo. Law Number 17 of 2016 expressly prohibits sexual intercourse and obscene acts against children, with a prison sentence of 5-15 years, large fines, and aggravating sanctions such as chemical castration, announcement of the identity of the perpetrator, installation of electronic detection devices, and rehabilitation. This provision emphasizes that sexual violence against children is categorized as an extraordinary crime and shows the state's efforts to provide maximum protection to victims.

In Decision Number 815/Pid.Sus/2025/PN Tanjung Karang, the Panel of Judges stated that the defendant was proven guilty of violating Article 81 Paragraph (1) jo. Article 76D of the Child Protection Law. All elements of the criminal act, including intentionality, identity of the perpetrator, victim category, coercion, and intercourse, are proven through victim statements, witnesses, defendants' confessions, and medical evidence. Prison sentences and fines are imposed proportionately, taking into account the responsibility of the perpetrator and the psychological impact on the victim. Although the main focus of punishment is on the responsibility of the perpetrator, aspects of victim recovery, including restitution and psychological rehabilitation, still need to be strengthened so that legal protection of children is more comprehensive.

For governments and policymakers, it is recommended that legal arrangements for sexual violence against children be strengthened through the integration of explicit restitution mechanisms in the verdict, so that victims receive adequate psychological recovery and material compensation. In addition, it is necessary to prepare special sentencing guidelines for cases of sexual violence against children that regulate the range of punishment, aggravation, and mitigation of victim trauma, as well as ensure the consistency of the application of additional penalties such as chemical castration, announcement of the perpetrator's identity, and electronic detection tools. Law enforcement officials, especially judges, are expected to integrate victimology and child psychology approaches in legal considerations, so that judicial decisions not only emphasize the accountability of the perpetrator, but also the long-term recovery of the victim.

For educational institutions, child protection institutions, and the community, it is necessary to carry out education and counseling about sexual violence, body recognition, and limits on safe interactions to prevent violence, especially within the scope of the family or close community. Further research is recommended to evaluate the effectiveness of restitution, specific sentencing guidelines, and the application of child psychology approaches in court, in order to produce empirical evidence that supports child protection policies that are more comprehensive and responsive to the needs of victims.

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