


Legal Protection for Child Victims of Sexual Violence in Semarang: Analysis of Decision No. 431/Pid.Sus/2023/PN.Smg

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Abstract

This research seeks to explore the legal safeguards provided to child victims of sexual violence within the Semarang District Court. A qualitative method with a case study was used to analyze primary data from internal court documents. The results show that the Semarang District Court is committed to protecting child victims of sexual violence through existing policies and programs, such as the Child Protection Task Force, special children's courtroom, and rehabilitation programs. Positive impacts of these policies and programs include a sense of security, access to healthcare services, trauma recovery, and stigma prevention. However, this study also found several challenges, such as a lack of human resources and budget, stigma and discrimination against victims, and the sexual objectification of children. Solutions offered to address these challenges include strengthening laws and policies, public education and awareness, and support from various parties. This research indicates that while there has been progress in the legal protection for child victims of sexual violence at the Semarang District Court, there are still areas requiring enhancement to ensure optimal protection for these victims.



KEYWORDS

Legal protection, child victims, sexual violence

Introduction

In the era of modern society, attention to children's rights has become highly important. Children are a nation's primary asset and must be optimally cared for to benefit the nation's progress. Protection is a responsibility that must be fulfilled by the state, government, society, families, and parents, covering all areas of life such as religion, education, health, and social aspects. Children will take on these responsibilities when they grow up, so they need broad protection and opportunities to develop well physically, mentally, socially, and morally.

One serious threat to children is sexual violence. Sexual violence refers to acts that demean, degrade, or assault someone's body and reproductive functions due to an imbalance of power or gender¹. Such activities include looking, touching, penetration (pressure), molestation, and even rape. The impact of sexual violence on children can be physical, psychological, and social. Physical impacts include injuries or tears in the hymen. The psychological effects include mental trauma, intense fear, feelings of shame, anxiety, and suicidal tendencies. Social impacts may include negative treatment from the surrounding environment and fear of socializing².

Deterrent effects in cases of child sexual violence refer to significant psychological impacts that hinder victims' healing and recovery processes. Victims often experience fear or shame about discussing their experiences, which can lead to feelings of isolation from friends and family and limit their access to support. This can lead to mental health issues like stress, anxiety, or depression, making it difficult for them to trust others or build healthy

¹ Rida Madyana and Safik Faozi, "Pemulihan Korban Melalui Restitusi Bagi Korban Kekerasan Seksual (Studi Putusan Nomor: 989, PID. SUS/2021/PN BDG)," *UNES Law Review* 6, no. 1 (2023): 426–439.

² Livia Ramayanti and Suryaningsi Suryaningsi, "Analisis Anak Korban Pelecehan Dan Kekerasan Seksual Dalam Perspektif Hukum Dan Hak Asasi," *Nomos : Jurnal Penelitian Ilmu Hukum* 2, no. 1 (2022): 19–28.

relationships due to their trauma. They may also feel guilty about what happened, further complicating their recovery³.

Children are vulnerable to sexual violence because they are often perceived as weak or powerless and highly dependent on adults. This dependency makes it difficult for them to resist or report their experiences⁴. Sexual violence cases are increasingly frequent in major cities, including Semarang in Central Java. Despite its development as an urban center, sexual violence remains a serious threat. Therefore, protection and prevention efforts are crucial.

Sexual crimes against children can be influenced by various factors, making them complex. Generally, they stem from abnormal mental conditions or states that drive individuals to commit such acts⁵. Recent cases involving minors require attention and justice, as sexual violence against developing children can cause long-lasting trauma and mental disruption.

Sexual violence against children involves coercion, threats, or manipulation, leading to activities like touching, penetration, molestation, and rape. Physical impacts include injuries, hymen tears, sexually transmitted infections, unwanted pregnancies, and chronic pain. The psychological effects encompass mental trauma, extreme fear, shame, anxiety, and suicidal tendencies⁶.

As a nation committed to protecting children's rights, Indonesia has enacted laws to protect children from sexual violence. The role of the Semarang District Court is crucial in enforcing justice and providing legal

³ Pruntus Sudarmaji and Muhamad Hasan Sebyar, "Perlindungan Hukum Bagi Anak Korban Kekerasan Seksual," *Journal of Law and Nation (JOLN)* 2, no. 4 (2023): 398–407.

⁴ Hasriany Amin, Muamal Gadafi, and Jamaluddin Hos, "Perlindungan Anak Dari Ancaman Kekerasan Seksual (Sebuah Tinjauan Berdasarkan Nilai-Nilai Islam)," *Al Munzir* 11, no. 1 (2018): 59–74.

⁵ 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.

<https://journal.umy.ac.id/index.php/mlsDOI:http://dx.doi.org/10.18196/mls.v4i1.17208>

⁶ Yulia, "PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN KEKERASAN SEKSUAL DI KABUPATEN ACEH BARAT Yulia" 2 (2023): 1–12.

protection for child victims. However, exploring the implementation and effectiveness of these protections is necessary. Child protection laws in Indonesia, such as Law No. 35 of 2014, emphasize children's rights as a state responsibility. Despite this, many children still face sexual violence and struggle to obtain justice.

The reality of sexual violence against children is complex, influenced by social, cultural, and economic factors that affect the effectiveness of legal protection. Thus, understanding the implementation of legal protection is essential. According to SINFONI PPA data, from January 1 to March 26, 2024, there were 3,068 incidents of violence against children, with Semarang having the highest number of cases in Central Java. This study focuses on Semarang due to its unique challenges and high incidence of child sexual violence.

One example is the case adjudicated by the Semarang District Court, verdict number 431/Pid.Sus/2022/PN Smg, involving sexual violence against a minor. On April 5, 2021, the victim was sexually assaulted, resulting in physical and psychological harm. The court's role in such cases highlights the need for effective legal protection and support for recovery.

This study aims to contribute to the development of policies, procedures, and best practices for protecting children's rights. It provides valuable insights for stakeholders, including the judiciary, law enforcement, government, and NGOs, to enhance child protection efforts. By examining the legal protection for child victims of sexual violence in Semarang, this research aims to enhance the handling of similar cases in the future.

Studying the legal protection for child victims of sexual violence is essential for addressing the significant threats to children's rights in contemporary society. In the modern society, safeguarding children's rights has become paramount, considering them as the nation's invaluable assets, ensuring their optimal development is pivotal for the nation's advancement (Oktarina et al., 2020). Protection is a collective responsibility, spanning state, government, community, family, and parental duties across all life

domains, including religious, educational, health, and social aspects. Recognizing children as future custodians of these responsibilities underscores the necessity for their comprehensive protection and opportunities for holistic growth⁷.

Sexual violence poses a grave threat, characterized by acts that degrade or assault one's body and reproductive functions, often rooted in power imbalances or gender disparities⁸. These acts encompass various forms, including touching, penetration, molestation, and rape, inflicting physical, psychological, and social scars on children. Psychological trauma, fear, shame, and social isolation are common repercussions, hindering victims' recovery and well-being⁹.

Children's vulnerability to sexual violence stems from their perceived weakness and dependency on adults, making resistance or disclosure challenging. Despite being urban centers, cities like Semarang grapple with escalating sexual violence cases, necessitating robust protection and prevention measures.

Understanding the complexities of sexual violence against children is crucial, with recent cases underscoring the urgency for justice and protection. Indonesia's legal framework, including Law No. 35 of 2014, enshrines children's rights, yet many still endure violence and injustice, warranting closer examination of protection mechanisms.

Semarang, with its significant prevalence of child sexual violence, exemplifies the pressing need for effective legal protection and support systems (Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia, 2024). Legal proceedings, like case 431/Pid.Sus/2022/PN Smg, highlight the crucial role of the Semarang District Court in ensuring justice and recovery for victims.

⁷ Ramayanti and Suryaningsi, "Analisis Anak Korban Pelecehan Dan Kekerasan Seksual Dalam Perspektif Hukum Dan Hak Asasi."

⁸ Madyana and Faozi, "Pemulihan Korban Melalui Restitusi Bagi Korban Kekerasan Seksual (Studi Putusan Nomor: 989, PID. SUS/2021/PN BDG)."

⁹ Sudarmaji and Hasan Sebyar, "Perlindungan Hukum Bagi Anak Korban Kekerasan Seksual."

This study seeks to inform policy development and best practices in child protection, offering insights for stakeholders to enhance their efforts (Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia, 2024). By delving into Semarang's legal protection landscape, it aims to catalyze positive changes in addressing future cases.

In conclusion, safeguarding children from sexual violence is imperative, necessitating comprehensive legal protection and support systems. Through collaborative efforts and informed strategies, the pursuit of justice and healing for child victims can be realized, fostering a safer and more secure environment for all.

Methods

This research adopts a qualitative approach using a case study method to investigate the complex phenomenon of child sexual violence cases in Semarang. The study focuses on understanding the legal protection for child victims of sexual violence at the Semarang District Court by examining legal processes, challenges encountered, responses from involved parties, and the impacts on the victims. As a non-doctrinal study, it aims to provide insights into how the law functions in practice, emphasizing the social and empirical legal context. The Semarang District Court is the research location, selected due to the high incidence of child sexual violence cases. Primary data is sourced from internal court document analysis. Data collection involves a thorough examination of these documents, with data validity ensured through meticulous content analysis. Data will be analyzed systematically using a thematic approach. This research will thus offer a comprehensive understanding of the implementation of legal protection for child victims of sexual violence at the Semarang District Court.

Result and Discussion

In creating justice for child victims of sexual violence, it is essential to provide legal protection for them. Regulations regarding legal protection for child victims of sexual violence, in which the government and state Ensuring justice for child victims of sexual violence necessitates providing them with robust legal protection. Legal protections for these victims are outlined in Law Number 35 of 2014, UU 59 paragraph 1, which mandates that the government and state institutions ensure their safety. This research focuses on the role of the Semarang District Court in handling cases of sexual violence against children, examining legal processes, the roles of judges, prosecutors, and other relevant institutions. Additionally, the study evaluates the effectiveness of the legal protection system at the Semarang District Court, including analysis of court decisions, legal compliance, and victim satisfaction, ensuring that victims feel safe, unpressured, and that their rights are upheld.

The research aims to understand the challenges faced by the Semarang District Court in handling such cases. It identifies that some law enforcement officials, including judges, prosecutors, and court clerks, lack adequate understanding of how to properly treat child victims of sexual violence, recognizing that their treatment differs from that of adults. Issues persist with the attitudes of these officials, which can exacerbate the trauma experienced by the victims.

Unfriendly attitudes from judges, prosecutors, or court staff can lead child victims to believe they are perceived negatively due to their experiences. A supportive attitude is essential to prevent victims from feeling that they are to blame for the violence they endured.

A significant challenge in proving sexual violence cases is obtaining victim testimony as evidence. It is often difficult for victims, especially children, to recount their experiences to unfamiliar individuals, including law enforcement officials. This difficulty is not unique to child

victims but is also a challenge for adult victims of sexual violence.

violence find it difficult to provide testimony, but also child victims who have experienced sexual violence. The trauma experienced by child victims is one of the factors affecting the process of obtaining testimony regarding the sexual violence they have experienced. Patience and providing time and comfort are crucial when seeking testimony from child victims as evidence. This ensures that child victims of sexual violence feel safe and confident to narrate the chronological events of how they were subjected to sexual violence by the perpetrator.

1. Policy and regulatory framework for legal protection of child victims of sexual violence at the Semarang District Court

According to the Sexual Violence Crime Law, victims are provided with various legal protections, including special protection for children who are victims of sexual violence. Based on UU 1 paragraph 15 of Law Number 35 of 2014 concerning Child Protection, protection is defined as efforts given to children in certain conditions and situations to ensure their safety from dangers that may jeopardize their lives and development.

The increasing incidence of sexual violence against children from year to year poses a serious threat to the future of the nation and the state, as children are the mainstay in building future generations. Therefore, it is important to provide strong legal protection for children who are victims of sexual violence. This includes imposing stricter penalties on sexual offenders and ensuring that child victims receive restitution for their rights as guaranteed by applicable laws and regulations. With a strategic legal framework and effective protection, it is hoped that sexual violence against children in the future can be reduced and prevented (Harahap, 2016).

Cases of sexual violence in Indonesia show significant diversity, with various motives and actions involving various parties, including children who are victims. Victims of sexual violence are made sexual objects by

perpetrators. This is related to the theory of sexual objectification that occurs when women are seen as separate objects from their individual identities, used to satisfy the desires of others. This can be one of the triggering factors for sexual violence because viewing individuals merely as objects to satisfy the perpetrator's sexual desires, regardless of consent or the rights of the individuals concerned. Sexual objectification can also create an environment that facilitates demeaning and belittling attitudes towards victims, making it easier for perpetrators to justify and commit sexual violence.

Violence is often associated with the inherent aggressiveness of living beings, including humans, as a form of self-defense for survival. Violence can be simply explained as discomfort arising from the aggressive behavior of someone aiming to harm or hurt others. Violent actions tend to be carried out through threats. Threatening behavior is more common than open physical violence and is often used as a way to convey one's intentions without actually intending physical harm. Threats are considered a form of violence that can control others, and become more effective if the individual shows the ability to carry out the threat. Therefore, the desire to intimidate or coerce can be fulfilled, especially when the threatened are children by adults.

One case of sexual violence against minors can be seen in the Semarang District Court Decision with the verdict Number 431/Pid.Sus/2023/PN.Smg, which adjudicates criminal cases involving children and imposes a verdict on the Criminal Act of "Committing violence or threatening violence, coercing indecent acts". The motive of the perpetrator in this case is control and manipulation of the victim to fulfill inappropriate sexual desires. The actions taken by the defendant towards the victim may reflect a motive to control, instill fear, and satisfy their own sexual desires.

The frustration-aggression theory explains that the level of frustration experienced by an individual can affect the tendency towards aggressive behavior. When a perpetrator feels frustrated or unable to resolve internal problems or conflicts in a healthy way, they may seek ways to release or express that frustration. Unfortunately, for some perpetrators, the means they choose to express this frustration may involve sexual violence against children.

Factors of frustration that may influence the tendency towards aggressive behavior in the context of sexual violence against children can vary greatly. For example, a perpetrator may experience frustration due to difficulties in resolving conflicts in their relationships, economic pressures, feelings of helplessness or lack of control over their lives, or even an inability to meet their sexual needs in a healthy manner. When frustration reaches a certain level, especially if not handled properly or addressed in a healthy way, perpetrators may seek the wrong outlet to suppress or express those emotions, including by committing acts of sexual violence against children.

Cases of sexual violence against children are one of the forms of crime that are damaging and painful, requiring decisive action from legal institutions to protect victims and ensure justice. In the midst of handling such cases, the Semarang District Court has established various policies and regulations designed to provide comprehensive legal protection for child victims of sexual violence.

a. Child Protection Law Number 35 of 2014

The Child Protection Law Number 35 of 2014 provides a strong legal foundation for efforts to protect and rehabilitate children who are victims of sexual violence. By establishing various rights for children, including the right to protection from sexual violence, this law provides a solid basis for legal action. Law No.35 of 2014 amends Law No. 23 of 2002 concerning child protection, stating that those who commit crimes against children, especially sexual crimes, will receive heavier penalties. The aim is to make

people afraid to commit such acts again and to assist children in recovering physically, mentally, and socially.

The Child Protection Law Number 35 of 2014 is built on several important theoretical foundations. Firstly, human rights serve as the primary basis, stating that every child has the right to be protected from all forms of violence and exploitation. Additionally, theories of child protection, psychology, criminology, and community empowerment also form crucial bases. With these theoretical foundations, the Child Protection Law can establish children's rights clearly, including their right to be protected from sexual violence. The law also formulates a clear definition of what constitutes sexual violence. Furthermore, the law creates comprehensive law enforcement mechanisms to ensure that perpetrators of crimes against children are firmly punished. Finally, the law pays special attention to rehabilitating children who are victims of sexual violence, assisting them in physical, psychological, and social recovery. Thus, these theoretical foundations provide a strong basis for the Child Protection Law to effectively protect children.

b. Juvenile Court Law Number 11 of 2012

Through the Juvenile Court Law Number 11 of 2012, the handling of criminal cases involving children, including cases of sexual violence, is specifically regulated. The importance of addressing the special needs of children, such as through a judicial process sensitive to the psychological well-being of children, is the main focus of this law.

Handling criminal cases involving children, especially cases of sexual violence, requires a different and special approach compared to handling cases involving adults. This is due to the unique needs and characteristics of children that need to be considered and protected. The Juvenile Court Law Number 11 of 2012 (Juvenile Court Law) marks a significant milestone in realizing a child-friendly criminal justice system in Indonesia. This law regulates the process of handling criminal cases involving children,

including cases of sexual violence, by considering the special needs of children.

Key points in the Juvenile Court Law regarding cases of sexual violence against children include diversion, restorative justice, children's rights, and a judicial process sensitive to the psychological well-being of children. Diversion prioritizes dialogue and consensus to achieve reconciliation between the victim and the offender outside of the criminal justice system. Restorative justice aims to restore the situation before the criminal act and rebuild relationships between all parties involved. Children's rights, such as being accompanied by parents and rehabilitation, must be ensured during the judicial process. The judicial process must be sensitive to the psychological well-being of children by conducting closed hearings and considering the child's condition during the trial.

The importance of addressing the special needs of children in the criminal justice process lies in the vulnerability of children to trauma and stress due to unfriendly processes. Inappropriate processes can exacerbate the psychological condition of children and hinder their recovery. Therefore, a sensitive approach to the psychological well-being of children is crucial to ensure that they feel safe and comfortable during the judicial process, enabling them to provide accurate testimony and assist law enforcement. With the implementation of the Juvenile Court Law and a child-friendly approach, it is hoped that the protection of children in the criminal justice system can be enhanced and justice can be better achieved.

c. Guidelines for the Protection of Victims of Sexual Violence

The Semarang District Court has Guidelines for the Protection of Victims of Sexual Violence, detailing the procedures for investigation, evidence collection, and trial proceedings that prioritize the welfare and

interests of children. These guidelines serve as the foundation for legal practices that consider humanitarian aspects in case handling.

Cases of child molestation are among the most serious and damaging crimes for both the victims and society at large. In a legal process, handling such cases requires careful consideration to ensure justice for the victims while also delivering appropriate punishment for the perpetrators. An analysis of Semarang District Court Decision Number 431/Pid.Sus/2022/PN Smg concerning a case of child molestation demonstrates serious efforts to bring about justice and protection for the victims, as well as affirming strict law enforcement against the perpetrators.

First and foremost, the evidence presented in the trial provides a clear picture of the events that occurred. Witness testimonies, from both the prosecution, the victim, and other witnesses, provide a comprehensive overview of the chronological events, the psychological impact experienced by the victim, and admissions made by the defendant. From this testimony, it is evident that the indecent acts committed by the defendant not only caused physical harm to the victim but also deep psychological trauma. The threats made by the defendant to the victim demonstrate the heinous nature of his actions, which not only affected the victim's body but also imposed significant psychological pressure.

The panel of judges, in their verdict, seriously considered both aggravating and mitigating factors. Aggravating factors include the molestation of a minor, the physical and psychological impact suffered by the victim, and the threats made by the defendant to the victim. However, it is also acknowledged that the defendant had no prior convictions, and there were expressions of remorse and apologies from the defendant to the victim and the victim's family. The acknowledgment and remorse from the defendant can be considered as mitigating factors in sentencing.

The verdict handed down by the panel of judges, a prison sentence of 15 years and a fine of Rp. 10,000,000, reflects the court's firm stance in

upholding justice. The sentence reflects careful considerations of humanitarian aspects, justice, and the effectiveness of law enforcement. More than just punishment, the verdict is also expected to serve as a deterrent for similar criminal offenses in the future.

Furthermore, the protection provided to the victim during the trial process is also commendable. The use of Guidelines for the Protection of Victims of Sexual Violence and attention to the psychological condition of the victim during witness examinations demonstrate the court's seriousness in providing protection and support to the victim.

In conclusion, Semarang District Court Decision Number 431/Pid.Sus/2022/PN Smg reaffirms the commitment to upholding justice and protection for children.

d. Victim Assistance Program

Sexual violence against children is one of the most heinous and damaging crimes. Cases like these not only tarnish the dignity of the victims but also shake the foundations of justice and humanity within society. In this context, efforts to provide legal protection for child victims of sexual violence are crucial. One prominent breakthrough in this regard is the Victim Assistance Program at the Semarang District Court.

The victim assistance program in court is not merely a formality but also a concrete solution to the urgent needs of victims to receive proper support and recovery. Victim assistance focuses not only on the emotional aspects but also provides access for victims to receive professional health services and counseling. This is crucial in helping victims overcome the trauma they experience due to sexual violence.

Furthermore, this program also offers legal assistance to victims to understand and navigate the complex justice system. With the support of professionals who understand their rights, victims can ensure they receive fair and transparent treatment in the legal process.

The presence of trained and supportive advocates also helps build trust and a sense of security for the victims. Victims feel heard, understood, and not alone in facing this difficult process. Victim assistance also strengthens their position in the legal process, as victims are encouraged to be active and courageous in expressing what they have experienced. This can help judges and prosecutors understand the impact of sexual violence and deliver fair judgments.

The positive impact of the Victim Assistance Program at the Semarang District Court has been evident. Victims who receive support feel stronger and better equipped to face the legal process. They are also more prepared to undergo trauma recovery processes and continue their lives with hope. This program is a step forward in realizing a child-friendly justice system and being responsive to the needs of victims.

However, the success of this program cannot be achieved without support from various stakeholders. Society, the government, and non-governmental organizations need to collaborate to ensure that all victims of sexual violence have access to quality victim assistance services. With strong cooperation, it is hoped that this program can provide better legal protection for child victims of sexual violence and help them build a brighter future.

e. Victim Identity Protection

Protecting the identity of victims, especially children, is a crucial aspect of the judicial process. The Semarang District Court has demonstrated its commitment to protecting victims by maintaining the confidentiality of their identities during legal proceedings. This step serves two main purposes that are highly relevant to the needs of sexual violence victims.

First, maintaining the confidentiality of victims' identities helps protect them from stigma and social judgment often associated with sexual violence victims. By not disclosing the victims' identities, the court helps prevent labeling and shame that can exacerbate the trauma they experience. Second,

this step also helps minimize the trauma and fear experienced by the victims. Worrying that their identities will be made public can add psychological burden to victims and hinder their recovery process.

The Semarang District Court has taken various concrete steps to achieve these goals. They obscure the names and identities of victims in court documents and judgments, prohibit the publication of photos or videos that could identify victims, and limit public access to the courtroom during proceedings. Consequently, the court creates a safe and comfortable environment for victims, giving them space to heal and move on with their lives without fear or additional pressure.

Providing safety and confidence to victims is crucial in the judicial process. By keeping victims' identities confidential, they feel more protected from potential retaliation or stigma from perpetrators or society. This can enhance victims' trust in the justice system, encouraging them to bravely report and seek justice. Additionally, maintaining the confidentiality of victims' identities also encourages more victims to come forward and report their experiences, helping to alleviate fears of identity disclosure. This helps prevent secondary victimization, where victims experience additional trauma due to the legal process, as well as protects them from shame, stigma, and social judgment. Furthermore, maintaining the confidentiality of victims' identities also aids in the recovery process from sexual violence trauma by creating a safe and comfortable environment for them to heal and move forward.

Finally, this is also important in protecting victims' rights, such as the right to privacy and the right to safety, ensuring that they receive fair and non-discriminatory treatment during the judicial process.

In addition to the courts, society plays a crucial role in protecting victims' identities by respecting their privacy, rejecting stigma, and supporting victims' recovery efforts. The Witness and Victim Protection Agency (LPSK) also plays a crucial role in providing physical and

psychological protection to victims, including maintaining the confidentiality of their identities. Likewise, the media plays a crucial role by not publishing victims' identities and using sensitive language when reporting on cases of sexual violence. Public education about the dangers of sexual violence and victims' rights is also needed to create a more supportive environment for victims, ensuring that they receive the justice and recovery they need.

f. Firm Punishment for Perpetrators

The strict punishment for perpetrators of sexual violence has been regulated in legal provisions. The Semarang District Court is tasked with ensuring that the punishment imposed is in accordance with applicable laws and provides justice for the victims. This reflects a strong commitment to combatting crime and delivering justice for victims, especially if the victim is a child.

The Semarang District Court ensures that the punishment given to perpetrators of sexual violence, especially if the victim is a child, complies with the applicable laws. This is an essential part of the process of delivering justice for victims and imposing severe sanctions on sexual offenders. The defendant's actions are governed and penalized under Undang-Undang 76E in conjunction with UU 82 Paragraph (1) of the Republic of Indonesia Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

Undang-Undang 76E stipulates that anyone who intentionally commits violence or threatens violence, coerces, perpetrates a series of lies, or persuades a child to commit or allow sexual abuse, can be punished with imprisonment for a maximum of 15 years and/or a fine of up to IDR 5,000,000,000. Similarly, UU 82 paragraph (1) also regulates similar matters, leading to similar penalties for perpetrators of sexual crimes against children.

Based on these two UU, the defendant may be punished for actions such as committing violence or threats of violence against a child to commit sexual abuse, forcing a child to commit sexual abuse, perpetrating a series of lies, or persuading a child to commit sexual abuse. The maximum penalty imposed on a defendant proven to have committed such acts is a maximum of 15 years imprisonment and/or a maximum fine of IDR 5,000,000,000.

However, it is important to note that the criminal penalties may vary depending on the specific facts and circumstances of the case. The presiding judges will consider all relevant factors and formulate decisions based on comprehensive considerations. This includes considering the severity of the offense, its impact on the victim, and any mitigating factors or explanations that may be presented by the defendant.

Thus, the court plays a crucial role in upholding justice and providing protection to children who are victims of sexual violence. By imposing punishments in accordance with applicable laws, the court helps create a safe and fair environment for children and delivers appropriate sanctions to sexual offenders. This is a crucial step in ensuring that sexual violence against children is not tolerated and that perpetrators are punished according to their wrongdoing.

Overall, the policies and legal protection regulations for child victims of sexual violence in the Semarang District Court reflect a strong determination to provide comprehensive protection and justice for victims. However, challenges in implementing and monitoring the effectiveness of these policies remain, emphasizing the importance of cooperation between legal institutions, the government, and society to create a safe and fair environment for children.

2. The implementation of legal protection for child victims of sexual violence occurs in daily practice at the Semarang District Court

The Semarang District Court has demonstrated its commitment to protecting children who are victims of sexual violence through various comprehensive efforts. One important step taken is the establishment of the Child Protection Task Force, tasked with ensuring child-friendly judicial processes. The Semarang District Court has shown its dedication to safeguarding child victims of sexual violence through a range of comprehensive measures. One significant initiative is the establishment of the Child Protection Task Force, responsible for ensuring child-friendly judicial processes and offering support to these victims. Comprising various stakeholders such as judges, prosecutors, court clerks, psychologists, and social workers, this task force aims to protect the interests and well-being of children.

Moreover, the court has effectively implemented sensitive judicial procedures to address the psychological needs of children. Closed sessions are conducted for child case hearings, with judges mandated to consider the psychological state of children throughout the trial. Child victims of sexual violence are permitted to have parents, guardians, or psychological counselors present, and their testimony can be recorded via video or audio to minimize further trauma.

However, despite these efforts, challenges persist in implementing protection for child victims of sexual violence at the Semarang District Court. Issues such as limited human resources and budget constraints pose significant obstacles. Additionally, there is a lack of public awareness regarding children's rights and the prevalence of stigma and discrimination against child victims of sexual violence, influenced by the Sexual Objectification theory.

The Sexual Objectification theory provides insights into how girls' bodies and sexuality are often objectified for others' gratification and control. Calogero (2012) notes that this perspective can adversely affect girls' body image, with its psychological ramifications often overlooked. This societal perception not only impacts girls but also profoundly affects child victims of sexual violence.

Stigma and discrimination against child victims of sexual violence are prevalent consequences of sexual objectification. Victims are often unjustly blamed and labeled as "impure," perpetuating harmful stereotypes that exacerbate their trauma.

"provocative." This attitude can cause child victims to feel ashamed, isolated, and lacking adequate social support.

Moreover, sexual objectification of children also contributes to a lack of support and resources for child victims of sexual violence. Society fixated on the view that children's bodies are objects to be enjoyed or controlled may lack empathy and concern for children's needs and rights. As a result, child victims often struggle to access the support they need to recover from trauma and obtain justice in the legal process.

The challenges faced by the Semarang District Court in handling cases of sexual violence are related to the lack of human resources and budget constraints and are also intertwined with the phenomenon of sexual objectification of children. Stigma and discrimination against child victims of sexual violence can hinder the court's efforts to provide adequate protection and justice.

To address these challenges, a holistic approach is needed. Education and awareness-raising are essential steps to increase public awareness of children's rights and the dangers of sexual objectification. Through education, society can understand the importance of respecting the dignity and rights of children and their role in protecting children from sexual violence.

Furthermore, a paradigm shift in viewing children as subjects with rights and dignity to be respected needs to be promoted. Society needs to realize that children are not objects to be enjoyed or controlled by others but individuals entitled to protection and respectful treatment.

Strengthening laws and policies is also crucial in combating the sexual objectification of children and providing protection to victims of sexual violence. The need for more stringent and effective policies and fair and just law enforcement will help prevent and address cases of sexual violence more efficiently.

However, the Semarang District Court remains committed to continually improving the quality of its services in protecting children who are victims of sexual violence. With the cooperation of relevant institutions and support from the community, it is hoped that protection for child victims of sexual violence can be continuously enhanced so that children can grow and thrive in a safe and supportive environment.

3. The impact of the legal protection provided to child victims of sexual violence at the Semarang District Court, both physically, psychologically, and socially

Legal protection for child victims of sexual violence provided by the Semarang District Court is specific protection. The meaning of specific legal protection is the provision of additional rights which are not given to adult victims of sexual violence. The mentality and thinking of minors compared to adults are different, therefore, specific protection is intended for minors who are facing legal issues.

The legal protection provided to child victims of sexual violence at the Semarang District Court can have significant impacts, both physically, psychologically, and socially. The impact of legal protection in terms of physical aspects provided by the Semarang Court is the sense of security felt by child victims of sexual violence. These victims feel protected from the perpetrator and do not need to fear reporting.

Legal protection helps victims to recover from the trauma they experienced when subjected to sexual violence. Recovering from trauma is not easy, as this trauma will leave a lasting impression on the memory of child victims, who will remember how they were treated. Therefore, the recovery process for child victims of sexual violence needs to be carefully considered. Legal protection can help victims obtain justice in law enforcement against perpetrators of sexual violence, which in turn can reduce the risk of re-offense and provide a sense of security for the victims.

The impact of legal protection in terms of psychological aspects is that it helps child victims of sexual violence feel trusted and heard. This can assist them in the process of psychological recovery. A fair and supportive legal process in the Semarang District Court can provide emotional support for victims of sexual violence because they feel heard, trusted, and respected by the legal system. Legal protection helps child victims of sexual violence to be free from guilt and shame. They no longer feel responsible for what happened to them.

Legal protection helps child victims of sexual violence to boost their self-confidence. They feel that they have the same rights as others and can live normally. Restoring self-confidence to child victims of sexual violence is important because when these children interact with their peers again, they will not feel ashamed, and they will not feel different from their peers. These child victims of sexual violence will feel the same as their friends and feel that nothing is missing within themselves.

The impact of legal protection in terms of social aspects is that it helps prevent stigma against child victims of sexual violence. Society becomes more understanding that victims are not perpetrators and they do not need to be ostracized. Legal protection can also reduce the stigma and discrimination that child victims of sexual violence may face in society, by asserting that victims are the ones who need to be protected and supported. This is necessary because after child victims of sexual violence try to reduce and even eliminate their trauma, the role of society is to provide encouragement for them.

Furthermore, the importance of legal protection helps child victims of sexual violence to receive support from family and society. They feel accepted and loved by the people around them. When child victims of sexual violence receive support from family and even the surrounding community, they will lead a normal life and can integrate with society.

Conclusion

In the context of law enforcement against cases of sexual violence against children, the Semarang District Court has demonstrated a strong commitment to protecting victims and ensuring justice. By referring to Child Protection Law No. 35 of 2014 and Juvenile Court Law No. 11 of 2012, as well as implementing the Guidelines for the Protection of Victims of Sexual Violence, the court has provided a strong legal framework and clear procedures in handling these cases.

The implementation of policies and programs by the Semarang District Court has also had a significant positive impact on victims. Through the Child Protection Task Force, special children's courtrooms, and a sensitive approach to court proceedings that address the psychological needs of children, victims are provided with the protection and support needed for their physical and psychological recovery. Rehabilitation programs and public education also play a crucial role in raising awareness among the public and preventing the recurrence of sexual violence cases.

However, there are still a number of challenges that need to be addressed in efforts to provide legal protection for child victims of sexual violence. The lack of human resources and budgetary constraints pose obstacles to the implementation of broader policies and programs. Additionally, stigma, discrimination against victims, and the sexual objectification of children remain issues that need attention.

To overcome these challenges, concrete steps are needed such as strengthening laws and more progressive policies, broader public education and awareness, and active support from various stakeholders including government agencies, civil society, and the private sector.

Overall, the Semarang District Court has made a significant contribution to protecting children from sexual violence and ensuring that their rights are respected. However, these efforts need to be further strengthened and supported by all parties to create a safer and more just environment for children in society. This article is expected to serve as a

useful reference for further research on legal protection for child victims of sexual violence and also to increase public awareness of the importance of this issue.

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DECLARATION OF CONFLICTING INTERESTS

The authors state that there is no conflict of interest in the publication of this article.

FUNDING INFORMATION

Please provide funding information.

ACKNOWLEDGMENT

Recognize those who helped in the research, especially funding supporter of your research. Include individuals who have assisted you in your study: Advisors, Financial support, or may other parties involved on the research.

HISTORY OF ARTICLE

Submitted : January 05, 2023
Revised : January 20, 2024
Accepted : February 15, 2024
Published : February 26, 2024