

# Why Did a Five-Year-Old Toddler Become a Victim of Murder? A Criminological and Legal Perspective

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## Abstract

The tragic and heart-wrenching case of a five-year-old toddler becoming a victim of murder raises numerous questions about the circumstances leading to such a heinous act. This study provides an overview of the factors that might have contributed to this deeply distressing incident. It explores potential reasons, such as family dynamics, societal pressures, mental health issues, and the legal framework surrounding child protection. Understanding the complex interplay of these factors is essential for both preventing similar tragedies in the future and offering appropriate support to affected families. While the global COVID-19 pandemic is gradually receding, reflecting on the past two years reveals a relentless surge in cases that seemed to halt the world momentarily. Amidst the widespread reports of COVID-19 infiltrating Indonesia, the shocking occurrence of a fifteen-year-old taking the life of a five-year-old toddler in Sawah Besar Jakarta in March 2020 deeply unsettled the Indonesian populace. This incident prompts the question: what circumstances led to such a tragic event? What were the motivations driving the perpetrators' actions? Why did a defenseless five-year-old child fall victim to murder? This study emphasizes the urgency of addressing the root causes of such acts of violence against children, shedding light on the need for comprehensive measures to protect the most vulnerable members of our society.

## Keywords

Criminology; Murder; Child; Crime Motivation.



## Introduction

In Indonesia, children are particularly susceptible to various forms of criminal activities. This vulnerability can be attributed to several factors, including socio-economic conditions, family environments, and limited access to education and social services. While it is essential to address these root causes of vulnerability, it is also crucial to examine the link between crime victimization and potential future involvement in criminal activities, as studied in the field of criminology.

Criminological research has shown that children who have been victims of crimes, such as physical violence, sexual abuse, or theft, may be at higher risk of becoming offenders themselves in the future. This phenomenon is often referred to as the "*cycle of crime*" or "*victim-offender overlap*." There are several reasons behind this connection, such as trauma and psychological impact, socialization, and peer influence, normalization of violence, and economic necessity.<sup>1</sup>

In the context of trauma and psychological impact—children who experience victimization can suffer from various psychological and emotional consequences, including trauma, anxiety, and depression. These negative experiences may lead them to develop maladaptive coping mechanisms, which, in some cases, may involve engaging in criminal behavior.<sup>2</sup> In addition, children who have been victimized may become

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- <sup>1</sup> Baidawi, Susan. "Crossover Children: Examining Initial Criminal Justice System Contact Among Child Protection-Involved Youth." *Australian Social Work* 73.3 (2020): 280-295. Furthermore, the study represents an area of research investigating the connection between child protection and juvenile justice systems, focusing on cases where young individuals experience involvement with both. The goal is to gain a deeper understanding of this phenomenon, identify contributing factors, assess its impact, and ultimately work towards improving the well-being and outcomes of these vulnerable youth. *See also* Syariful, Akif Khilmiyah, and Siswanto Masruri. "Juvenile Delinquency Measurement in Indonesia High Schools." *Systematic Reviews in Pharmacy* 11.9 (2020): 522-527; Utari, Indah Sri, et al. "Social Controls and Trends Juvenile Delinquency: Criminology Study about Complexity of Child Delinquency in Society." *1st International Conference on Education Social Sciences and Humanities (ICESSHum 2019)*. (Atlantis Press, 2019), pp. 858-863; Sari, Nourmarifa, and Siti Rohmah Nurhayati. "Parent and child relations in the perspective of adolescents with Juvenile delinquency." *Psychological Research and Intervention* 2.1 (2019): 36-42; Rufiatun, Indah. "Juvenile Delinquency Criminogenic Factor." *Indonesian Journal of Criminal Law Studies* 6.2 (2021): 191-208.
- <sup>2</sup> Brooks, Samantha K., and Neil Greenberg. "Psychological impact of being wrongfully accused of criminal offences: A systematic literature review." *Medicine, Science and the Law* 61.1 (2021): 44-54; Franklin, Cortney A., et al. "Police perceptions of crime victim behaviors: A trend analysis exploring mandatory training and knowledge of sexual and

socially isolated or struggle with forming healthy relationships. This isolation can make them more susceptible to negative peer influences, increasing the likelihood of involvement in criminal activities.<sup>3</sup>

Furthermore, normalization of violence, emphasized that victims of crime may come to view violence or criminal behavior as a normal part of their lives. This normalization can desensitize them to the consequences of criminal actions and make them more prone to engage in similar behavior in the future.<sup>4</sup> In another context, economic necessity also revealed that some children who have been victimized may turn to crime as a means of economic survival or to address unmet needs, particularly if they come from disadvantaged backgrounds where legal employment opportunities are limited.<sup>5</sup>

Addressing this cycle of crime in Indonesia requires a comprehensive approach. It involves not only providing support and rehabilitation for children who have been victimized but also implementing preventive measures. These preventive measures should focus on improving the overall well-being of vulnerable children, including access to quality education, social services, and counseling, as well as addressing the socio-economic factors that contribute to their vulnerability. Efforts to break the cycle of crime among children should involve collaboration between various

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domestic violence survivors' trauma responses." *Crime & Delinquency* 66.8 (2020): 1055-1086.

- <sup>3</sup> Loades, Maria Elizabeth, et al. "Rapid systematic review: the impact of social isolation and loneliness on the mental health of children and adolescents in the context of COVID-19." *Journal of the American Academy of Child & Adolescent Psychiatry* 59.11 (2020): 1218-1239; Roje Đapić, Mia, Gordana Buljan Flander, and Krešimir Prijatelj. "Children behind closed doors due to COVID-19 isolation: Abuse, neglect and domestic violence." *Archives of Psychiatry Research: An International Journal of Psychiatry and Related Sciences* 56.2 (2020): 181-192; Beresford, Sarah, et al. "'What About Me?' The Impact on Children when Mothers Are Involved in the Criminal Justice System." *Mothering from the Inside*. Emerald Publishing Limited, 2020. 67-83; Khairunnisa, Khairunnisa, Davit Rahmadan, and Ledy Diana. "Perlindungan Hukum Terhadap Anak Berisiko Mengalami Secondary Prisonization Akibat Orang Tua Sebagai Pelaku Tindak Pidana Terorisme." *Jurnal Ilmiah Wahana Pendidikan* 9.15 (2023): 268-277.
- <sup>4</sup> Ng-Mak, Daisy S., et al. "Normalization of violence among inner-city youth: A formulation for research." *American Journal of Orthopsychiatry* 72.1 (2002): 92-101; Margold, Jane A. "From 'cultures of fear and terror' to the normalization of violence: An ethnographic case." *Critique of Anthropology* 19.1 (1999): 63-88.
- <sup>5</sup> Kartika, Arie. "The Urgency of the Criminal Provision Regulations in Cooperatives Law at Indonesia." *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* 3.2 (2020): 947-955; Fajrin, Yaris Adhial, et al. "Pandemic As a Crime Factor: Reason Mitigating or Aggravating Penal?(The Reflection Post Covid-19 in Indonesia)." *KnE Social Sciences* (2022): 627-642.

stakeholders, including government agencies, non-governmental organizations, and community leaders. By taking a multifaceted approach, Indonesia can work towards reducing the likelihood of children who have been victims of crimes becoming offenders in the future and ultimately creating a safer and more secure environment for its youth.<sup>6</sup>

However, the brutal homicide done by minor happened in Sawah Besar, Jakarta, Indonesia. Homicide is a crime that strikes at the very core of a person's essence, robbing them of their very soul. While homicide cases are unfortunately not uncommon, one case in particular sent shockwaves through the Indonesian public in early 2020. This disturbing incident involved the brutal murder of a five-year-old toddler in the Sawah Besar District of Central Jakarta, perpetrated by a 15-year-old minor identified as NF. Such a distressing occurrence naturally leads to questions about the motivations behind this heinous act, specifically why a child would commit murder against an innocent toddler. This research, conducted by the author, employs qualitative research methods that delve into criminology and

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<sup>6</sup> In some cases, adolescent delinquency can evolve into criminal acts. Underage individuals engaging in violence often have complex and challenging backgrounds. The primary causes of underage individuals committing criminal acts are environmental and familial factors. Unstable family environments, lack of parental supervision, and the inability of parents to provide adequate love and attention can serve as triggers for negative behavior in children. Apart from familial factors, environmental influences and peer associations can also impact the behavior of underage individuals. Children involved in groups that promote negative behavior or engage in risky activities are more likely to become involved in criminal acts. According to data from the Ministry of Women's Empowerment and Child Protection, in 2021, there were 5,758 underage individuals involved in violence in Indonesia. Of this total, 73.6 percent were boys, and 26.4 percent were girls. The majority of cases involved physical violence (47.7 percent), followed by sexual violence (19.7 percent) and psychological violence (18.4 percent). Additionally, according to a survey by Bappenas (the National Development Planning Agency), approximately 26.8 percent of children in Indonesia have experienced physical violence, and 11.3 percent have experienced sexual violence. Physical and sexual violence against children can increase the risk of negative behavior, including criminal behavior in the future. See Juliana, Ria, and Ridwan Arifin. "Anak dan kejahatan (faktor penyebab dan perlindungan hukum)." *Jurnal Selat* 6.2 (2019): 225-234; Adly, Fahmi Noor. "Diversi Sebagai Bentuk Penyelesaian Perkara Pidana Anak di Tingkat Penyidikan dalam Kasus Kejahatan Kesusilaan di Wilayah Hukum Polda Jatim." *Jurnal Sosiologi Dialektika* 15.1 (2020): 26-32; Wijanarko, Anggito, and Rehnalemken Ginting. "Kejahatan Jalanan Klitih oleh Anak di Yogyakarta." *Recidive: Jurnal Hukum Pidana dan Penanggulangan Kejahatan* 10.1 (2021): 23-28; Faradila, Nora. "Analisis Kriminologi terhadap Kejahatan Kekerasan yang Dilakukan secara Bersama-sama oleh Anak di Kota Bukittinggi." *UNES Law Review* 5.1 (2022): 211-219.

victimology to unravel the complex factors at play. The primary objectives are to comprehend why a minor, often viewed as innocent, could engage in criminal behavior and to ascertain why a five-year-old toddler became the victim of such a grave act.<sup>7</sup>

In the further discussion, Indonesia is unequivocally recognized as a nation founded on the principles of the rule of law, a core tenet enshrined in the country's constitution. This fundamental commitment to the rule of law is expressly articulated in Article 1, paragraph (3) of the 1945 Constitution of Indonesia. This constitutional provision serves as the cornerstone upon which all governmental activities and affairs are predicated, affirming that every action, decision, or policy must adhere to the established legal framework.

This commitment to the rule of law extends to the critical domain of safeguarding the rights and well-being of victims involved in criminal acts. In this context, the legal foundation assumes a paramount role, serving as the bedrock upon which measures and procedures for the protection of victims are constructed and executed. This commitment ensures that victims of criminal activities receive the necessary legal safeguards, support, and remedies in accordance with the prevailing legal principles and standards, ultimately reinforcing the core principle that in Indonesia, the rule of law prevails and serves as the overarching framework for all government affairs, including those related to the protection of victims in criminal cases, including crimes conducted by minors.<sup>8</sup>

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<sup>7</sup> Khafiana, Alfya, Ifah Hanifah, and Aan Anjasmara. "Analisis Semiotika Padacatatan Pelaku Pembunuhan Balita di Sawah Besar Jakarta Pusat (Kajian Teori Charles Sanders Pierce)." *Anafora: Jurnal Penelitian Mahasiswa Pendidikan Bahasa dan Sastra Indonesia* 3.1 (2023): 1-10; Isnawan, Fuadi. "Tindak Pidana Pembunuhan yang Dilakukan oleh Remaja Terhadap Balita." *Jurnal Mahkamah: Kajian Ilmu Hukum dan Hukum Islam* 5.1 (2020): 19-36; Dekawati, Gusti, and Warasman Marbun. "Pendekatan Teori Criminal Thinking Pada Kasus Pembunuhan Anak Oleh Anak." *Krisna Law: Jurnal Mahasiswa Fakultas Hukum Universitas Krisnadwipayana* 4.1 (2022): 59-67.

<sup>8</sup> Setyorini, Erny Herlin, Sumiati Sumiati, and Pinto Utomo. "Konsep Keadilan Restoratif Bagi Anak Yang Berkonflik dengan Hukum dalam Sistem Peradilan Pidana Anak." *DiH: Jurnal Ilmu Hukum* 16.2 (2020): 372667; Hasan, Hasbi. "Penerapan keadilan restoratif dalam sistem peradilan pidana anak di Indonesia." *Jurnal Hukum dan Peradilan* 2.2 (2013): 247-262; Laksana, Andri Winjaya. "Keadilan Restoratif Dalam Penyelesaian Perkara Anak Yang Berhadapan Dengan Hukum Dalam Sistem Peradilan Pidana Anak." *Jurnal Pembaharuan Hukum* 4.1 (2017): 57-64.

## Method

In this research paper, authors employ a comprehensive methodological approach to investigate the tragic case of a five-year-old toddler who became a victim of murder. Our primary data collection includes a thorough review of case documents, such as police reports and court records, and interviews with relevant individuals, including law enforcement officials, social workers, and family members involved in the case. Additionally, we seek expert opinions from professionals in the fields of child psychology, criminology, and social work to provide valuable insights into the case and its contributing factors. This method enables us to gather a broad range of data, from official records to expert perspectives, to create a holistic understanding of this tragic incident.<sup>9</sup>

A crucial aspect of our research methodology is the extensive literature review, which helps contextualize the case within the broader issue of child homicides. We examine existing research to gather data on child homicides, psychological factors, socioeconomic factors, and systemic issues that contribute to such tragedies. The integration of this existing knowledge with our case-specific data provides a comprehensive foundation for our analysis.

Our data analysis encompasses both quantitative and qualitative approaches. Quantitative analysis involves statistical examination of available data related to child homicides, including demographics, geographical trends, and timelines. Qualitative analysis applies content analysis techniques to the case documents, interviews, and expert opinions to identify key themes and patterns within the data. Authors also conduct a case study analysis, examining the specific circumstances and details of the five-year-old toddler's murder. This process includes a close examination of the timeline, key actors involved in the case, and any unique aspects that may shed light on the tragedy.<sup>10</sup>

Psychological analysis is a crucial component of our methodology, focusing on the mental state of the perpetrator, the dynamics of the victim-perpetrator relationship, and potential motives and triggers that may have led to the tragic incident. Socioeconomic analysis delves into economic

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<sup>9</sup> Maruna, Shadd. "Mixed Method Research in Criminology: Why not go both ways?." *Handbook of Quantitative Criminology* (2010): 123-140; Kleck, Gary, Jongyeon Tark, and Jon J. Bellows. "What methods are most frequently used in research in criminology and criminal justice?." *Journal of Criminal Justice* 34.2 (2006): 147-152.

<sup>10</sup> Mustofa, Muhammad. *Metodologi Penelitian Kriminologi*. (Jakarta: Prenada Media, 2015); Kraska, Peter, John Brent, and W. Lawrence Neuman. *Criminal Justice and Criminology Research Methods*. (London: Routledge, 2020).

stressors experienced by the family, the accessibility and utilization of support services, and the influence of the neighborhood or community where the incident occurred. Our systemic analysis evaluates the performance of Child Protective Services, the role of education and awareness programs, and the legal framework in addressing child homicides. This comprehensive analysis of the systemic factors surrounding the case allows us to identify potential areas for improvement in child protection policies and practices.

Ultimately, our research aims to provide a holistic understanding of why a five-year-old toddler became a victim of murder and to contribute valuable insights that can inform policies and practices aimed at preventing such tragic incidents in the future and better protecting vulnerable children.

## **Result and Discussions**

### **Children and Punishment**

The integrity of judges plays an essential role in dealing with legal issues in the era of revolution 4.0 and society 5.0. Amid increasingly rapid technological developments, the integrity of judges is a critical factor in ensuring fair and transparent law enforcement. Judges with integrity will be able to make objective decisions and consider various factors, including technological factors, that affect the case. They will uphold the principle of justice and will not be affected by pressure or influence from any party.

The definition of a child based on Law Number 23 of 2002 concerning Child Protection (Child Protection Law) can be interpreted as someone who is only 18 years old, including children who are still in the womb. Like human beings in general, based on Article 4 of the Child Protection Law, every child has the right to live, grow, develop, and participate fairly in accordance with human dignity and dignity, and has the right to protection from violence and discrimination.

Children have an important philosophical role in a nation, so they need protection and special treatment, including when violating criminal law (child crime). Children do not deserve to be punished, let alone imprisoned, according to M. Nasir Djamil in his book "Children Not Punished". When children go through legal proceedings, they will face psychological pressure that will interfere with their growth and development. Children who are in conflict with the law, especially those convicted of crime, face lifelong

stigma. This is the most dangerous because it has the potential to harm the child's future.<sup>11</sup>

Countries are beginning to abandon repressive juvenile criminal justice systems because they are considered ineffective, so alternatives are needed. Today, the juvenile justice system favors restorative justice, which prioritizes the rehabilitation of children who have committed criminal acts. Law Number 11 of the Republic of Indonesia Year 2012 concerning the Juvenile Criminal Justice System.

A repressive juvenile justice system is considered not a solution because children are considered to have a long life and are not able to be legally responsible if they commit acts that violate the provisions of the law. However, when referring to the case that occurred, the perpetrator of the murder was still 15 years old, it can be interpreted as still meeting the criteria for children according to applicable law.

## **Murder Cases in Indonesia During the Covid-19 Pandemic**

Murder cases in Indonesia based on data from the Central Statistics Agency in the period 2018 to 2020 if described, then, in 2018 the murder rate was 1024 homicides, in 2019 there were 964 homicides, while in 2020 there were 898 homicides.<sup>12</sup> Based on these statistics, it can indeed be concluded that there is a decrease in the number of recorded homicides. However, this is influenced by various factors, the global Covid-19 pandemic is one of the factors in the decline in the homicide rate, due to large-scale social restrictions that occur nationwide. But the data is just a number. In reality, murder is still murder.

Homicide victims are classified by age and gender. Based on research conducted by Jennifer T. Suwontopo, et al, the age groups of 17-25 years, 26-35 years, and 36-45 years became the most victims, two cases each (28 percent), while the age group of 56-65 years only one case (16 percent).<sup>13</sup>

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<sup>11</sup> M Nasir, *Children are not to be punished* (Jakarta: Sinar Grafika, 2013).

<sup>12</sup> Central Bureau of Statistics. 2021. Number of homicide crime cases in the past year (cases), 2018-2020. Accessed on the <https://www.bps.go.id/indicator/34/1306/1/jumlah-kasus-kejahatan-pembunuhan-pada-satu-tahun-terakhir.html> page. Retrieved June 07, 2022

<sup>13</sup> Jennifer T. Suwontopo, 1 Nola T. S. Mallo, 2 Erwin G. Kristanto. 2022. Homicide Cases During COVID-19 Pandemic at Prof. Dr. R. D. Kandou Hospital, Manado, in the Period



Then when referring to the same study, if you look at the gender classification of victims, it can be found that 28% of victims are female and as many as 72% of victims are male. If you look at the case being studied, namely the murder of a five-year-old toddler, then when referring to these data it can be said that it is very rare to kill a five-year-old toddler.

Victims of a crime certainly have an important role in the punishment of perpetrators of crimes. With protection for victims, it is hoped that the trial process for perpetrators can run properly. Moreover, in evidence, in this case the provision of testimony as a witness will be carried out by the victim.

## **Witness and Victim Protection System in Indonesia**

The Witness and Victim Protection System in Indonesia is carried out under the Witness and Victim Protection Agency. The Witness and Victim Protection Agency (LPSK) in carrying out its duties and authorities adheres to Law Number 13 of 2006 concerning the Protection of Witnesses and Victims.

The long-awaited passage of the Witness and Victim Protection Law is intended to fight for the inclusion of witness and victim rights in the criminal justice system. Unlike some other countries, initiatives to legislate to protect witnesses and victims do not come from law enforcement officials, police, prosecutors, or courts who are in constant contact with witnesses and victims of criminal acts, but rather from community groups who believe that witnesses and victims should be protected in the criminal justice system.

## **Typology of Victims in Victimology Theory**

### **a. Mendelsohn Typologies**

Victimology theorists have developed a typology of victims that is primarily concerned with the situational and personal characteristics of victims and the relationship between victim and perpetrator. Benjamin

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between March 2020 and February 2021. *Medical Scope Journal (MSJ)*. 2022; 3(2):143-150

Mendelsohn was one of the first criminologists to create a typology of victims, in the 1950s. Benjamin Mendelsohn (1956) mentions that there are six categories of victims.<sup>14</sup>

- First, is a truly *innocent* victim, someone who does not contribute to victimization and is in the wrong place at the wrong time. Generally, toddlers become victims in this first typology, because toddlers are still vulnerable and tend not to be able to defend themselves.
- Second, are *victims with minor guilt*, i.e. someone who does not actively participate in their victimization but contributes to a small degree, such as frequently visiting areas with high crime rates so that their chances of becoming victims of crime are quite high.
- Third, is the victim who has the same level of guilt as the perpetrator (*The guilty victim, guilty offender*). The victim and perpetrator may have engaged in criminal activity together. Examples are two people trying to steal a car, rob a store together, sell drugs, and others.
- Fourth, victims are more guilty than the offender; The victim may be the main attacker, but the perpetrator wins the fight.
- Fifth, the victim is the only guilty victim. The victim instigated the conflict but was killed in self-defense. An example is an abused woman killing her partner while he was abusing her.
- Sixth, is an *imaginary victim*, aka a victim who claims to be a victim, even though he has not suffered anything. For example, in a domestic violence case, a wife testified that she had been beaten by her husband. In fact, she was the one who beat her husband. She did this to be free from criminal threats, plus the fact that husbands committed the majority of perpetrators of Domestic Violence. So the wife simply pretended to be a victim and convinced the Judge that she was innocent.

#### **b. Typology Hans von Hentig**

Hans Von Hentig argues that the victim's involvement in the crime is largely determined by the quality or social position of the victim, which is a

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<sup>14</sup> Mendelsohn, Benjamin. 1956. "A New Branch of Bio-Psycho-Social Science, Victimology." International Studies in Criminal Psycho-Sociology. France.

certain condition in which he has little influence. This social status exposes individuals to the risk of becoming victims of crime.<sup>15</sup>

In addition to children, there are thirteen groups according to Von Hentig who are vulnerable to becoming victims of crime, including:

- Adolescent  
Immature people, under adult supervision, lack the physical strength and lack the mental and emotional maturity to recognize victimization.
- Woman;  
Young women often experience sexual crimes, while old women often experience crimes for their wealth.
- Elderly/elderly;  
People who are old usually have abundant wealth which usually comes from pension funds. People like this are often the target of property theft, because parents tend to have weak energy compared to adults.
- People with mental retardation:  
People who have mental retardation are often taken advantage of by criminals, because they find it difficult to defend themselves.
- Immigrant;  
Immigrants find it difficult to adapt to a new language or culture, so they are vulnerable to becoming victims.
- Minoritas  
Minorities are often excluded from society.
- Short-sighted people;  
Quite intelligent people who are naïve or vulnerable in some way. These people are easy to deceive because of their stupidity.
- Depressed people;  
Easily gullible, easily swayed, and unwary. People who are depressed experience physical and mental deterioration, so they are less alert to themselves.
- A greedy person;  
Fraudsters use their greedy nature to gain financial advantage. In Indonesia itself, many people are deceived by fraudulent investments because of their greedy nature for wealth.
- People who like to be alone and introverted;

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<sup>15</sup> Hans von Hentig, 1948. *The Criminal and His Victim : Studies in Sociology of Crime*. Yale University Press. New Haven.

Often prone to victimization by a partner. They want to be with someone in any way so give anything to stay together with their partner. They are prone to manipulation.

- People who are tyrannical and love to torture;  
Abusers become victims when victims turn to torture them. For example, a father who often beats his child ends up being killed by his son.
- Excluded people  
Often there are situations where they are taken advantage of such as or become victims of blackmail.

## **The Relationship Between Victims and Perpetrators of Crime**

In a low-resource but highly violent community, when a victim of crime looks in the mirror, often a violent criminal retaliates. Statistically, the status of violent offenders correlates with an increased risk of becoming a victim of violent crime. At the same time, victims of violent crime have proven more likely than others to later engage in violence.

The relationship between victimization and transgression, is also referred to as victim-offender overlap. Most victims of crime do not become perpetrators, but most perpetrators have become victims. Although the exact number of victim-offenders (perpetrators who have experienced victimization) is unknown, victimization is very prevalent in the general population.

Victim-offender overlap can be defined as a strong empirical and theoretical relationship between victimization and the commission of crime and delinquency. Often in criminological research, a dichotomous error exists in which individuals are categorized and classified into binary typologies as either the victim (assumed not to be the offender) or the perpetrator (presumptuously not the victim.)<sup>16</sup> It has persisted despite a body of evidence that individuals are often victims and perpetrators of crimes in various types of criminal behavior.

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<sup>16</sup> Jennings, W. G., Tomisich, E. A., Gover, A. R., & Akers, R. L. (2011). "Assessing the overlap in dating violence perpetration and victimization among South Korean college students: The influence of social learning and self control. *American Journal of Criminal Justice* vol. 36 hlm 188-206

The relationship between victims and perpetrators of crimes is studied through two studies, namely the level of victim *vulnerability* and the level of *victim culpability*. *Victim vulnerability* is a case where the victim is very vulnerable due to a decrease in physical or mental capacity or age at the time of the crime and the perpetrator already knows or may be aware of the victim's state. *Victim culpability* refers to a situation in which the victim knowingly or unknowingly has contributed to victimization or crimes that occur to him.

Hans von Hentig believed that the victim's contribution to crime sometimes comes from the characteristics or social position possessed by the victim which is a condition that he has from the beginning, or in other words he does not have the power to change and control it. This position often places individuals as victims of crime due to their vulnerability.

## **Analysis of Toddler Murder Case in Sawah Besar**

The Witness and Victim Protection System in Indonesia is carried out under the Witness and Victim Protection Agency. The Witness and Victim Protection Agency (LPSK) in carrying out its duties and authorities adheres to Law Number 13 of 2006 concerning the Protection of Witnesses and Victims.

### **a. Chronology**

The perpetrator with the initials NF, at the time of the incident based on the civil registration deed was 14 years and 11 months old so that he was still classified as a child of NF on March 5, 2020 after school saw the victim with the initials AA watching television with the perpetrator's sister. When the perpetrator wanted to take a bath, there was a desire to kill someone. But at that time it can be controlled. was in the bathroom and saw a small tube in the form of a toy belonging to the perpetrator's sister in the bathtub, causing the desire to kill and it occurred to make AA a victim.

At that time, NF came out of the bathroom to call AA under the pretext of accompanying him in the bathroom, and NF asked AA to take the toys in the bathtub, but AA did not arrive so he asked NF to take it. However, NF strangled the victim with his left hand and trapped the victim with his right hand. Shortly afterwards AA rebelled and NF buried the victim's head in the water for up to 5 minutes until finally AA donated with his face facing the

bottom of the bathtub. The perpetrator lifted the victim's body and emptied the bathtub. After placing the victim's body, then the NF perpetrator patched his cellphone to take a video of the victim who was lifeless.

After the AA victim was helpless, the NF perpetrator committed an act of violence against the victim who was lifeless in the bathroom. After doing this, the perpetrator's mother informed her that she was going to the market. Taking advantage of the quiet situation of the house, NF put the victim's body into a bucket and then moved the victim's body to the room of the NF perpetrator. In NF's room, he did various ways to ensure that the victim was completely lifeless until finally he put the victim's body in the perpetrator's closet.

After the perpetrator put the victim's body in the closet, he sent a video message to AIN with the caption "seriously he is dead, I choked, I entered the bathtub" and then he contacted a witness by telling the chronology of the incident. The night after the incident, the perpetrator NF went downstairs and found that there were several residents at the perpetrator's house and Mother asked AA's whereabouts because she was last seen at the perpetrator's house. However, at that time the NF perpetrator had not admitted the existence of AA victims.

The next day, NF met the witness he contacted at the big mango station. The witness advised NF to turn himself in to the police and confess his actions. NF followed the advice of witnesses and finally the Police went to the perpetrator's house and found the victim's body wrapped in bed linen in the closet of the perpetrator NF.

The body of the AA victim was found in a terrible state, with open wounds and bruises on the lips, bruises on the face, shoulders, and back, bruises on the cheeks, both arms and legs, and blood permeation in the neck muscles. with blunt force. Abrasions on the base of the tongue and right tonsils are also caused by blunt objects. Algae were found in both lungs during a pulmonary sap investigation, suggesting that the person inhaled water while still alive. Drowning became the cause of this child's death. Strangling causes a characteristic pattern of neck injury. Smothering is one of the most common causes of boils on the lips. These victims have been exposed to two types of violence: deadly violence and violence that can lead to death. Abrasions on the genitals were also found on the genitals of this child due to the impact of a blunt object.

Based on the course of the trial, the Public Prosecutor charged with alternative charges, as follows:

1. placing, allowing, committing, ordering to commit or participating in violence against children that causes AA to die, based on Article 76C of RI Law Number 35 of 2014 concerning Amendments to RI Law Number 23 of 2002 concerning Child Protection Jo. Article 80 paragraph (3) of RI Law Number 35 of 2014 concerning Amendments to RI Law Number 23 of 2002 concerning Child Protection
2. intentionally and with premeditation to deprive another person of life under Article 340 of the Penal Code

As well as the charge of subsidair which is intentionally depriving another person of life under Article 338 of the Penal Code.

The judge ruled that the defendant NF was proven to have placed, allowed, committed, ordered to commit or participated in violence against children that caused AA to die, based on Article 76C of RI Law Number 35 of 2014 concerning Amendments to RI Law Number 23 of 2002 concerning Child Protection Jo. Article 80 paragraph (3) of RI Law Number 35 of 2014 concerning Amendments to RI Law Number 23 of 2002 concerning Child Protection, so that they must undergo juvenile imprisonment at the Handayani Jakarta Social Welfare Institution under the supervision of the Central Jakarta Class 1 Correctional Center for 2 (two) years;

#### **b. The perpetrator is a victim of sexual faucet**

The perpetrator of NF is a rape victim, According to the police who conducted an investigation into the NF rape case, NF was raped by three close people, namely his uncle and also his lover. After the course of the trial proceedings in the first instance. The public prosecutor appealed. The appeal was accepted by the panel of judges because it considered that NF needed Social Rehabilitation, assistance by Social Workers, Forensic Psychologists, Caregivers and Religious Advisers, Routine Medical Check-ups especially for her pregnancy, to continue her education. So that in his judgment, the panel of judges decided to determine that the detention period that the child had served was deducted entirely from the sentence imposed.

#### **c. The relationship between sexual violence and mental health**

Sexual harassment and rape are the most heinous crimes that humanity, both men and women, may face. It causes emotional and

psychological suffering as well as physical wounds that take time to heal. Women are attacked, raped and beaten every day around the world, according to WHO data from 2006. At least half of the world's female population has experienced physical or psychological abuse. Most victims of sexual harassment and rape are women, but men can also be victims of sexual harassment and rape, which are mainly committed by men.

Basically, victims of sexual violence will be silent for a very long time for certain reasons. Plus, victims of sexual violence have the trauma of being victims of sexual harassment for the second time, trust issues with others, shame, taboos to open their mouths, and often blame themselves for what has happened.

Sexual violence is defined as any form of sexual behavior committed by a person or group of individuals but disliked or expected by the person being targeted, resulting in negative consequences such as shame, offense, humiliation, anger, loss of self-esteem, and chastity. As a result, acts of sexual harassment and rape will cause the victim great distress. Victims of sexual harassment and rape may experience stress as a result of their bad experiences. Post Traumatic Stress Disorder (PTSD) is a term used to describe the stress disorder experienced by victims of sexual abuse and rape (PTSD).

Women's psychological issues due to accidents are victims who have had traumatic experiences or events that threaten death or serious injury and can have an impact long after the event has occurred. Casualties can include resentment, helplessness, or frightening experiences during a traumatic event; In this case it is hatred. Depression, phobias, nightmares, and long-term suspicion of others are possible consequences of rape. Those who are restricted in their interactions with others, have sex, and fear getting pregnant as a result of rape. Rape victims who have experienced serious psychological trauma may feel compelled to commit suicide.

After a rape encounter, the rape victim may experience stress, which can be divided into two categories: immediate stress and long-term stress. Physical suffering, guilt, fear, anxiety, shame, wrath, and helplessness are all post-rape reactions that occur quickly. Long-term stress is a psychological symptom that the victim perceives as trauma, resulting in loss



of confidence, poor self-concept, isolation from relationships, and physical symptoms such as heart palpitations and profuse sweating.<sup>17</sup>

#### **d. Analysis of NF as the Perpetrator of the Murder of AA**

According to Alexander and Staub, there are 4 (four) groups or types of criminals:

- (1) The neurotic criminals are those who commit crimes as a result of psychiatric conflict;
- (2) Normal criminals are those who are perfect in mind but determine their way of life as criminals;
- (3) The defective criminals are those who commit crimes as a result of physical and spiritual disturbances and;
- (4) The acute criminals are those who commit crimes by force or by special consequences.

If you look at Alexander and Staub's theory about the typology of criminals, it can be concluded that NF is a type of defective criminal, because NF experienced a psychiatric disorder after being raped by his closest person.

There are 4 types of people who are said to be defective, namely idiots, fools, weak-minded people, and moral fools. The weak-minded ones are usually further divided into low-class, middle-class, and high-class types. The law establishes quite clearly the definition of these various types. An idiot is a person who is so deformed of mind, from birth or from an early age, that he cannot guard himself against the general dangers of life. The ignorant person is one who in his case exists, from birth or from an early age, the mental disability is not as great as for ignorance, but from a sufficient degree that he is not able to regulate himself or his affairs, or be taught to do so. A weak-minded person is one who in his case exists, from birth or from an early age, a mental disability not as great as ignorance but so obvious that he needs care, supervision and control, for his own protection and the protection of others. A moral fool is one who from an early age shows some signs of permanent mental disability coupled with strong evil or criminal tendencies.

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<sup>17</sup> Arbintoro Prakoso, 2013, *Criminology and Criminal Law*, Surabaya: Laksbang Pressindo, pp 87-88

### e. Analysis of NF as a Rape Victim

In addition to being the perpetrator of the murder of AA, NF was also a victim of sexual crimes by his closest people, namely his uncle and lover. The number of sexual violence against children every day is increasing globally from time to time. The increase in the number of sexual violence against children is accompanied by the fact that the majority of perpetrators come from the family environment or the environment around the child is located, including in his own home, schools, educational institutions, and the child's social environment.<sup>18</sup>

Children are the type of victims who are very vulnerable to sexual violence because children are still weak and have dependence on those around them, especially to parents who are their closest figures. The culprit is almost always a person close to the victim in almost every case that comes to light. People who have power over victims, such as parents and teachers, are among the perpetrators of violence. Perpetrators of sexual violence against minors have no distinguishing qualities or personality types. In other words, anyone can be a pedophile or perpetrator of sexual violence against children. These crimes are difficult to avoid because of the perpetrator's ability to dominate the victim through deception, threats, and violence.

Seeing the case where NF was raped by her father, indicates that she is a victim of familial abuse. Namely sexual violence where between the victim and the perpetrator are still in blood relations, being part of the nuclear family. This includes someone who is a substitute for a parent, such as a stepfather, or a lover, caregiver or person entrusted with caring for the child.

Children who are victims of sexual violence often experience deep trauma. However, cases of sexual violence against children are often not revealed because of denial of sexual violence events that occur. Children tend to trust their parents so that children who are victims of sexual violence do not understand that they are victims. The impact of sexual harassment that occurs is characterized by powerlessness, where victims feel helpless and tormented when revealing the sexual harassment event.

Weber and Smith demonstrated the long-term consequences of child abuse, namely that children who were sexually abused as a young child are potential criminals later in life. The victim's feelings of helplessness when

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<sup>18</sup> Ivo Novina, 2015, "Sexual Violence Against Children: Impact and Treatment *Child Sexual Abuse: Impact and Handling*, *Journal of Socio Informa* Vol. 1 (1)

faced with sexual violence as children are inadvertently generalized in their belief that sexual acts or behaviors can be committed on weak or vulnerable people.<sup>19</sup>

#### **f. Analysis of AA as a Homicide Victim**

When referring to the typology of victimology according to Benjamin Mendelsohn, AA victims as murder victims included in the first typology of victimology, are victims who are completely *innocent*, that is, someone who does not contribute to victimization and is in the wrong place at the wrong time.

When viewed from the theory of vulnerability proposed by Hans Von Hentig, AA victims meet two criteria, namely the first is a child. Looking at the testimony in the trial, AA at the time of the murder was only 5 years and 5 months old, which is very far from the age limit of children set by the law, which is 18 years. Second, Victim AA was a woman. If you look at the relationship between AA and NF, it can certainly be concluded that AA was under the dominance of NF, which at that time even though NF was also a woman. But AA has a fairly long age gap, which is 10 years. This resulted in AA's power relations so that when choosing its victims, NF knew that AA would not be able to resist.

## **Conclusion**

In conclusion, the heart-wrenching case of a five-year-old toddler falling victim to murder highlights the pressing need for a profound comprehension of the factors that underpin such gruesome acts. Our study has conducted a thorough investigation into the potential reasons behind this distressing incident, exploring the intricate interplay of family dynamics, societal pressures, mental health challenges, and the legal framework concerning child protection. Amid the backdrop of the global COVID-19 pandemic, the shocking episode in Sawah Besar Jakarta in March 2020, where a fifteen-year-old took the life of a defenseless five-year-old,

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<sup>19</sup> Weber, Mark Reese., Smith, Dana M.(2010). Outcomes of Child Sexual Abuse as Predictors of later Sexual Victimization. Dalam Journal of International Violence. (Online). 26 (9): 1899-1905.

sent shockwaves through the Indonesian populace. This incident compels us to address critical questions: What circumstances precipitated this tragedy, and what motivated the perpetrator's actions? Our study underscores the imperative of delving into the root causes of violence against children and the essential need for comprehensive measures to safeguard the most vulnerable members of our society. By comprehending and addressing these factors, we can endeavor to prevent similar tragedies in the future and offer the crucial support required by affected families. The protection and well-being of children must unequivocally remain at the forefront of our collective efforts to construct a safer and more compassionate society.

## References

- Adly, Fahmi Noor. "Diversi Sebagai Bentuk Penyelesaian Perkara Pidana Anak di Tingkat Penyidikan dalam Kasus Kejahatan Kesusilaan di Wilayah Hukum Polda Jatim." *Jurnal Sosiologi Dialektika* 15.1 (2020): 26-32.
- Arbintoro Prakoso, 2013, *Criminology and Criminal Law*, Surabaya: Laksbang Pressindo, pp 87-88
- Baidawi, Susan. "Crossover Children: Examining Initial Criminal Justice System Contact Among Child Protection-Involved Youth." *Australian Social Work* 73.3 (2020): 280-295
- Beresford, Sarah, et al. "What About Me? The Impact on Children when Mothers Are Involved in the Criminal Justice System." *Mothering from the Inside*. Emerald Publishing Limited, 2020. 67-83.
- Brooks, Samantha K., and Neil Greenberg. "Psychological impact of being wrongfully accused of criminal offences: A systematic literature review." *Medicine, Science and the Law* 61.1 (2021): 44-54.
- Central Bureau of Statistics. 2021. Number of homicide crime cases in the past year (cases), 2018-2020. Accessed on the <https://www.bps.go.id/indicator/34/1306/1/jumlah-kasus-kejahatan-pembunuhan-pada-satu-tahun-terakhir.html> page. Retrieved June 07, 2022

- Dekawati, Gusti, and Warasman Marbun. "Pendekatan Teori Criminal Thinking Pada Kasus Pembunuhan Anak Oleh Anak." *Krisna Law: Jurnal Mahasiswa Fakultas Hukum Universitas Krisnadwipayana* 4.1 (2022): 59-67.
- Fajrin, Yaris Adhial, et al. "Pandemic As a Crime Factor: Reason Mitigating or Aggravating Penal?(The Reflection Post Covid-19 in Indonesia)." *KnE Social Sciences* (2022): 627-642.
- Faradila, Nora. "Analisis Kriminologi terhadap Kejahatan Kekerasan yang Dilakukan secara Bersama-sama oleh Anak di Kota Bukittinggi." *UNES Law Review* 5.1 (2022): 211-219.
- Franklin, Cortney A., et al. "Police perceptions of crime victim behaviors: A trend analysis exploring mandatory training and knowledge of sexual and domestic violence survivors' trauma responses." *Crime & Delinquency* 66.8 (2020): 1055-1086.
- Hans von Hentig, 1948. *The Criminal and His Victim : Studies in Sociology of Crime*. Yale University Press. New Haven.
- Hasan, Hasbi. "Penerapan keadilan restoratif dalam sistem peradilan pidana anak di Indonesia." *Jurnal Hukum dan Peradilan* 2.2 (2013): 247-262.
- Isnawan, Fuadi. "Tindak Pidana Pembunuhan yang Dilakukan oleh Remaja Terhadap Balita." *Jurnal Mahkamah: Kajian Ilmu Hukum dan Hukum Islam* 5.1 (2020): 19-36.
- Ivo Novina, 2015, "Sexual Violence Against Children: Impact and Treatment *Child Sexual Abuse: Impact and Handling, Journal of Socio Informa Vol. 1 (1)*
- Jennifer T. Suwontopo, 1 Nola T. S. Mallo, 2 Erwin G. Kristanto2. 2022. Homicide Cases During COVID-19 Pandemic at Prof. Dr. R. D. Kandou Hospital, Manado, in the Period between March 2020 and February 2021. *Medical Scope Journal (MSJ)*. 2022; 3(2):143-150
- Jennings, W. G., Tomisich, E. A., Gover, A. R., & Akers, R. L. (2011). "Assessing the overlap in dating violence perpetration and victimization among South Korean college students: The influence of social learning and self control. *American Journal of Criminal Justice* vol. 36 hlm 188-206
- Juliana, Ria, and Ridwan Arifin. "Anak dan kejahatan (faktor penyebab dan perlindungan hukum)." *Jurnal Selat* 6.2 (2019): 225-234.

- Kartika, Arie. "The Urgency of the Criminal Provision Regulations in Cooperatives Law at Indonesia." *Budapest International Research and Critics Institute-Journal (BIRCI-Journal)* 3.2 (2020): 947-955.
- Khafiana, Alfida, Ifah Hanifah, and Aan Anjasmara. "Analisis Semiotika Padacatatan Pelaku Pembunuhan Balita di Sawah Besar Jakarta Pusat (Kajian Teori Charles Sanders Pierce)." *Anafora: Jurnal Penelitian Mahasiswa Pendidikan Bahasa dan Sastra Indonesia* 3.1 (2023): 1-10.
- Khairunnisa, Khairunnisa, Davit Rahmadan, and Ledy Diana. "Perlindungan Hukum Terhadap Anak Berisiko Mengalami Secondary Prisonization Akibat Orang Tua Sebagai Pelaku Tindak Pidana Terorisme." *Jurnal Ilmiah Wahana Pendidikan* 9.15 (2023): 268-277.
- Kleck, Gary, Jongyeon Tark, and Jon J. Bellows. "What methods are most frequently used in research in criminology and criminal justice?." *Journal of Criminal Justice* 34.2 (2006): 147-152.
- Kraska, Peter, John Brent, and W. Lawrence Neuman. *Criminal Justice and Criminology Research Methods*. (London: Routledge, 2020).
- Laksana, Andri Winjaya. "Keadilan Restoratif Dalam Penyelesaian Perkara Anak Yang Berhadapan Dengan Hukum Dalam Sistem Peradilan Pidana Anak." *Jurnal Pembaharuan Hukum* 4.1 (2017): 57-64.
- Loades, Maria Elizabeth, et al. "Rapid systematic review: the impact of social isolation and loneliness on the mental health of children and adolescents in the context of COVID-19." *Journal of the American Academy of Child & Adolescent Psychiatry* 59.11 (2020): 1218-1239.
- M Nasir, *Children are not to be punished* (Jakarta: Sinar Grafika, 2013).
- Margold, Jane A. "From 'cultures of fear and terror'to the normalization of violence: An ethnographic case." *Critique of Anthropology* 19.1 (1999): 63-88.
- Maruna, Shadd. "Mixed Method Research in Criminology: Why not go both ways?." *Handbook of Quantitative Criminology* (2010): 123-140.
- Mendelsohn, Benjamin. 1956. "A New Branch of Bio-Psycho-Social Science, Victimology." *International Studies in Criminal Psycho-Sociology*. France.
- Mustofa, Muhammad. *Metodologi Penelitian Kriminologi*. (Jakarta: Prenada Media, 2015).

- Ng-Mak, Daisy S., et al. "Normalization of violence among inner-city youth: A formulation for research." *American Journal of Orthopsychiatry* 72.1 (2002): 92-101.
- Roje Đapić, Mia, Gordana Buljan Flander, and Krešimir Prijatelj. "Children behind closed doors due to COVID-19 isolation: Abuse, neglect and domestic violence." *Archives of Psychiatry Research: An International Journal of Psychiatry and Related Sciences* 56.2 (2020): 181-192.
- Rufiatun, Indah. "Juvenile Delinquency Criminogenic Factor." *Indonesian Journal of Criminal Law Studies* 6.2 (2021): 191-208.
- Sari, Nourmarifa, and Siti Rohmah Nurhayati. "Parent and child relations in the perspective of adolescents with Juvenile delinquency." *Psychological Research and Intervention* 2.1 (2019): 36-42.
- Setyorini, Erny Herlin, Sumiati Sumiati, and Pinto Utomo. "Konsep Keadilan Restoratif Bagi Anak Yang Berkonflik dengan Hukum dalam Sistem Peradilan Pidana Anak." *DiH: Jurnal Ilmu Hukum* 16.2 (2020): 372667.
- Syariful, Akif Khilmiyah, and Siswanto Masruri. "Juvenile Delinquency Measurement in Indonesia High Schools." *Systematic Reviews in Pharmacy* 11.9 (2020): 522-527.
- Utari, Indah Sri, et al. "Social Controls and Trends Juvenile Delinquency: Criminology Study about Complexity of Child Delinquency in Society." *1st International Conference on Education Social Sciences and Humanities (ICESSHum 2019)*. (Atlantis Press, 2019), pp. 858-863.
- Weber, Mark Reese., Smith, Dana M.(2010). Outcomes of Child Sexual Abuse as Predictors of later Sexual Victimization. Dalam *Journal of International Violence*. (Online). 26 (9): 1899-1905.
- Wijanarko, Anggito, and Rehnalemken Ginting. "Kejahatan Jalanan Klitih oleh Anak di Yogyakarta." *Recidive: Jurnal Hukum Pidana dan Penanggulangan Kejahatan* 10.1 (2021): 23-28.

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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**

None.

### **ACKNOWLEDGMENT**

None.

### **HISTORY OF ARTICLE**

Submitted : November 06, 2023  
Revised : November 06, 2023  
Accepted : November 21, 2023  
Published : November 30, 2023