

ABSTRACT

ANALYSIS APPLICATION OF CRIMINAL SANCTIONS AGAINST CRIME CHILD SEXUAL ABUSE RULE OF CHILD PROTECTION

**By
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Children are gifts from the Almighty God, which in her inherent dignity and worth as human beings, as well as other human beings. Parents, community groups, law enforcement officials, and government to function as regulators of policy and control of state life, especially in efforts to protect the rights of the child's life. With the enactment of Act No. 23 of 2002 about Child Protection, is expected to be able to accommodate all of the rights of children that absolutely must be given to her, especially in terms of legal protection. The recurrence of a variety of criminal acts of sexual abuse against children, clearly demonstrating that the children are still vulnerable to various forms of violence. As happened in the area of Bandar Lampung and had dropped out by the judge in the decision No. 267/Pid/B/2012/PNTK. Thus, the question is appropriate application of criminal sanctions against the perpetrators of child abuse in the case of 267/Pid/B/2012/PNTK by Act N0. 23 of 2002. And if that be the basis of consideration of the judge in deciding the case the crime of of child abuse in the decision No.267/Pid/B/2012/PNTK.

This study uses an empirical approach juridical and normative, with the type of primary data in the form of interviews with the judges and prosecutors in the District Court of Bandar Lampung. While this type of secondary data in the form of rules of law the decision No.267/Pid/B/2012/PNTK and other literature. From these data, the authors conducted a further analysis of the data using qualitative analysis.

Results of research conducted by the author in Bandar Lampung District Court, show that the application of criminal sanctions contained in the judge's decision No.267/Pid/B/2012/PNTK is in conformity with the legislation of which the accused defendant although lighter in comparison with the details of the prosecution case: imprisonment for 6 years, be reduced for 4 years while the defendant is in custody and a fine of Rp. 100,000,000 (one hundred million) subsidiary three months, provided that if the fine is not paid to be replaced by imprisonment for one (1) month. With the consideration of judges include: a. fulfillment of the elements of a crime, b proof in proceedings under the suitability of valid evidence presented in court, c. conviction judge d. look of things and ease the burden for the defendant, and e. direct consequence for the victim. The suggestions submitted include: a suspected criminal act of decency that the victims were children must get a criminal to justice in order to effect deterrence

can run optimally and the person would not be expected to repeat the same crime in the future. The government needs to set up an agency in charge of rehabilitation (crisis centers) to children who are victims of rape or sexual abuse to minimize the negative consequences that may arise on the victim.

Keywords: Application of Criminal Sanctions, rape, child molestation.