

ABSTRACT

THE LEGAL PROTECTION OF CHILDREN WHO BECOME THE VICTIMS OF PEDOPHILES FROM THE PERSPECTIVE OF CHILD PROTECTION LAW

By:

TIFFANY ANDINA DAMAYANTI

Children are the future generation of a nation and play a role in ensuring the existence of a nation, as regulated in Consitution Act 23 of 2003 about Child Protection. Children are a fragile and easy target of criminal activity. Before regulated in Act 23 of 2002 and Act 35 of 2014 about Child Protection, the law regulating pedophilia crimes or sexual activity done by adults to children refered to Indonesian Civil and Criminal Code (KUHP). The research questions of this study were: How is the legal protection of children who become the victims of pedophilia from the perspective ofchild protection law? What are the constraints of the implementation of law protection of children who become the victims of pedophilia?

This research usednormative and empirical juridical approach. The primary and secondary data were obtained from field study and literature review. Participants of this research were based on the recommendation of Chief of Police Officer of the City of Bandar Lampung, Member of Child Advocacy Institute, and Lecturers of Criminal Law at the University of Lampung. The data collection was done through field study and literature review. In analyzing the data, qualitative paradigm was used.

As discussed in the result of this study, legal protection for children who become the victims of pedophilia has been regulated in Constitution Act 23 of 2002 and Act 35 of 2014 about legal protection for children, that specifically regulates the attempts to protect children who become the victims of any crimes, such as through rehabilitation, identity protection, health insurance, and accessibility to different facilities. Factors that became constraints of the implementaton of the law include the law itself, law enforcer, facilities, society, and culture.

Tiffany Andina Damayanti

The result of this research suggests that law enforcer is expected to be more sensitive and proactive in the attempts of enforcing law toward the criminals committing pedophilia. The sentence should be based on what the criminals have done, so that they realize their crime and will not commit it again.

The role of special institutes in handling the victims should also be supported fully by the government, so that they can play their role optimally in healing the children's trauma and in preventing the children from being a pedophile.

Keywords: Law Protection, Children, Pedophilia