

ABSTRAK

KEBIJAKAN HUKUM PIDANA (*PENAL POLICY*) RESTITUSI TERHADAP ANAK KORBAN TINDAK PIDANA PERSETUBUHAN (Studi Pada Kejaksaan Negeri Tulang Bawang)

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Penelitian ini bertujuan untuk menganalisis kebijakan hukum pidana (*penal policy*) restitusi terhadap anak korban tindak pidana persetubuhan, dengan fokus pada praktik yang diterapkan di Kejaksaan Negeri Tulang Bawang. Restitusi sebagai bentuk pemulihan hak korban diharapkan dapat memberikan keadilan restoratif bagi anak yang menjadi korban kejahatan seksual.

Penelitian ini menggunakan pendekatan kualitatif dengan metode studi kasus. Data diperoleh melalui wawancara dengan pihak kejaksaan, jaksa, serta analisis dokumen yang relevan, seperti berkas perkara dan kebijakan terkait. Pendekatan ini bertujuan untuk memahami secara mendalam bagaimana kebijakan restitusi diterapkan dalam kasus tindak pidana persetubuhan terhadap anak.

Hasil penelitian menunjukkan bahwa meskipun terdapat upaya signifikan dalam memberikan restitusi kepada korban, praktik implementasinya di Kejaksaan Negeri Tulang Bawang masih menghadapi tantangan. Kendala hukum, seperti ketidakjelasan prosedur restitusi untuk anak, serta faktor sosio-kultural, seperti kurangnya pemahaman masyarakat dan pihak terkait tentang pentingnya restitusi, menjadi hambatan utama. Selain itu, terdapat perbedaan persepsi antara aparat penegak hukum terkait penerapan kebijakan restitusi.

Penelitian ini merekomendasikan perbaikan prosedur hukum terkait restitusi serta peningkatan sosialisasi di kalangan masyarakat dan aparat hukum. Langkah ini diharapkan dapat mendukung implementasi kebijakan restitusi yang lebih efektif dan memberikan perlindungan yang optimal bagi anak korban kejahatan seksual.

Kata Kunci: Kebijakan Hukum Pidana, Restitusi, Anak Korban, Tindak Pidana Persetubuhan, Kejaksaan Negeri Tulang Bawang.

ABSTRACT

CRIMINAL LAW POLICY (PENAL POLICY) OF RESTITUTION FOR CHILD VICTIMS OF SEXUAL ASSAULT (A Study at the Tulang Bawang District Attorney's Office)

By
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This study aims to analyze the criminal law policy (penal policy) on restitution for child victims of sexual offenses, focusing on its implementation at the Tulang Bawang District Prosecutor's Office. Restitution, as a form of restoring victims' rights, is expected to provide restorative justice for children who have become victims of sexual crimes.

This research employs a qualitative approach with a case study method. Data were collected through interviews with prosecution officials and the analysis of relevant documents, such as case files and related policies. This approach aims to gain a deep understanding of how restitution policies are implemented in cases of sexual offenses against children.

The findings reveal that despite significant efforts to provide restitution to victims, its implementation at the Tulang Bawang District Prosecutor's Office still faces several challenges. Legal obstacles, such as unclear procedures governing restitution for children, and socio-cultural factors, such as the lack of understanding among the community and related parties about the importance of restitution, are the primary barriers. Additionally, differing perceptions among law enforcement officials regarding the application of restitution policies also hinder its effectiveness.

This study recommends improving legal procedures related to restitution and intensifying socialization efforts among the community and law enforcement officials. These measures are expected to support the more effective implementation of restitution policies and provide optimal protection for child victims of sexual crimes.

Keywords: *Criminal Law Policy, Restitution, Child Victims, Sexual Assault, Tulang Bawang District Attorney's Office.*