

## **ABSTRAK**

### **ANALISIS PERLINDUNGAN HUKUM BAGI ANAK DISABILITAS SEBAGAI KORBAN KEKERASAN SEKSUAL DI BANDAR LAMPUNG (Studi Putusan Perkara Nomor: 538/Pid.Sus/2024/PN.Tjk)**

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Kekerasan seksual terhadap anak penyandang disabilitas merupakan permasalahan serius yang membutuhkan perhatian khusus dalam sistem hukum pidana. Anak penyandang disabilitas merupakan kelompok yang rentan menjadi korban kekerasan seksual karena keterbatasan fisik, intelektual, maupun mental yang dimilikinya. Kondisi tersebut menempatkan anak penyandang disabilitas pada posisi yang lemah dalam memperoleh perlindungan hukum dan keadilan. Permasalahan penelitian ini yaitu bagaimana perlindungan hukum bagi anak disabilitas sebagai korban kekerasan seksual serta mengidentifikasi hambatan dalam pelaksanaannya di Bandar Lampung dengan studi pada Putusan Perkara Nomor 538/Pid.Sus/2024/PN.Tjk, dimana pelaku merupakan bagian keluarga dari anak korban.

Penelitian ini menggunakan metode penelitian yuridis normatif dan penelitian yuridis empiris. Jenis data yang digunakan yaitu data primer berasal dari penelitian di lapangan seperti wawancara dan data sekunder diperoleh dari peraturan perundang-undangan, dokumen resmi, karya ilmiah, dan hasil penelitian terdahulu. Narasumber terdiri dari Hakim Pengadilan Negeri Tanjung Karang Kelas 1A, Jaksa Kejaksaan Negeri Bandar Lampung, Kepala UPT Dinas Pemberdayaan Perempuan dan Perlindungan Anak Kota Bandar Lampung, dan Dosen Bagian Hukum Pidana Fakultas Hukum Universitas Lampung. Kemudian analisis data menggunakan analisis kualitatif dengan metode memperoleh data primer dan sekunder berupa penafsiran hukum

Hasil penelitian menunjukkan bahwa perlindungan hukum preventif belum berjalan secara maksimal karena masih terbatasnya upaya pencegahan yang terintegrasi serta minimnya pemahaman aparat dan masyarakat mengenai perlindungan anak disabilitas dari kekerasan seksual. Sementara itu, perlindungan

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hukum represif telah dilaksanakan melalui proses penegakan hukum terhadap pelaku kekerasan seksual, sebagaimana tercermin dalam pertimbangan hukum hakim dan penjatuhan pidana. Meskipun demikian, perlindungan terhadap hak-hak korban belum sepenuhnya terpenuhi, terutama dalam aspek pemulihan, pendampingan psikososial, dan pemberian fasilitas yang ramah disabilitas selama proses peradilan. Hambatan perlindungan dipengaruhi oleh faktor hukum, penegak hukum, sarana dan fasilitas, masyarakat, serta kebudayaan, yang secara keseluruhan berdampak pada efektivitas perlindungan hukum bagi korban.

Saran dari penelitian ini adalah aparat penegak hukum khususnya di Bandar Lampung perlu memperkuat penerapan perlindungan hukum yang berorientasi pada kepentingan terbaik bagi anak penyandang disabilitas sebagai korban kekerasan seksual. Dan diperlukan upaya penanganan secara menyeluruh terhadap faktor-faktor yang menghambat perlindungan hukum khususnya di Bandar Lampung, baik dari aspek hukum, penegak hukum, sarana dan fasilitas, masyarakat, maupun kebudayaan. Pemerintah dan pemangku kepentingan terkait perlu meningkatkan ketersediaan sarana yang aksesibel, memperkuat koordinasi antar lembaga, serta mendorong peningkatan kesadaran hukum masyarakat melalui edukasi yang berkelanjutan

**Kata Kunci: Perlindungan Hukum, Anak Disabilitas, Kekerasan Seksual**

## **ABSTRACT**

### **ANALYSIS OF LEGAL PROTECTION FOR CHILDREN WITH DISABILITIES AS VICTIMS OF SEXUAL VIOLENCE IN BANDAR LAMPUNG**

**(Case Study Number: 538/Pid.Sus/2024/PN.Tjk)**

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*Sexual violence against children with disabilities is a serious issue that requires special attention in the criminal justice system. Children with disabilities are a group that is vulnerable to sexual violence due to their physical, intellectual, and mental limitations. This condition places children with disabilities in a weak position in terms of obtaining legal protection and justice. The research problem is how to provide legal protection for children with disabilities who are victims of sexual violence and to identify obstacles in its implementation in Bandar Lampung with a study of Decision Number 538/Pid.Sus/2024/PN.Tjk, where the perpetrator is a family member of the child victim.*

*This study uses normative legal research and empirical legal research methods. The types of data used are primary data from field research such as interviews and secondary data obtained from laws and regulations, official documents, scientific papers, and previous research results. The sources consisted of the Judge of the Tanjung Karang Class 1A District Court, the Bandar Lampung District Attorney, the Head of the Bandar Lampung City Women's Empowerment and Child Protection Agency, and a lecturer in the Criminal Law Department of the Faculty of Law at the University of Lampung. The data was then analyzed using qualitative analysis with a method of obtaining primary and secondary data in the form of legal interpretation.*

*The results of the study show preventive legal protection has not been maximally implemented due to limited integrated prevention efforts and a lack of understanding among officials and the public regarding the protection of children with disabilities from sexual violence. Meanwhile, repressive legal protection has been implemented through law enforcement against perpetrators of sexual violence, as reflected in the judges' legal considerations and the imposition of criminal*

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*penalties. However, the protection of victims' rights has not been fully fulfilled, especially in terms of recovery, psychosocial assistance, and the provision of disability-friendly facilities during the judicial process. Obstacles to legal protection are influenced by legal factors, law enforcers, facilities and infrastructure, society, and culture, all of which collectively impact the effectiveness of legal protection for victims*

*This study recommends that law enforcement officials, especially in Bandar Lampung, need to strengthen the implementation of legal protection that is oriented towards the best interests of children with disabilities who are victims of sexual violence. Comprehensive efforts are needed to address the factors that hinder legal protection, especially in Bandar Lampung, in terms of legal aspects, law enforcement, facilities and infrastructure, society, and culture. The government and relevant stakeholders need to increase the availability of accessible facilities, strengthen inter-agency coordination, and encourage increased public legal awareness through continuous education.*

**Keywords: Legal Protection, Children with Disabilities, Sexual Violence**