

## **ABSTRAK**

### **PERAN KEPOLISIAN DALAM PEMBERIAN PERLINDUNGAN SEMENTARA KEPADA KORBAN TINDAK PIDANA KEKERASAN SEKSUAL**

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Tindak pidana kekerasan seksual merupakan kejahatan yang menimbulkan dampak serius bagi korban, baik secara fisik, psikis, maupun sosial, sehingga memerlukan perlindungan yang cepat dan efektif sejak tahap awal proses hukum. Pemberian Perlindungan Sementara kepada korban sebagaimana diatur dalam Pasal 42 Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual menjadi bentuk tanggung jawab negara dalam menjamin keselamatan dan hak-hak korban. Rumusan permasalahannya yaitu peran kepolisian dalam pemberian Perlindungan Sementara kepada korban tindak pidana kekerasan seksual dan faktor-faktor yang menghambat penegakan hukum pemberian Perlindungan Sementara kepada korban tindak pidana kekerasan seksual.

Penelitian ini menggunakan metode penelitian yuridis normatif dan yuridis empiris. Pendekatan yuridis normatif dilakukan melalui studi kepustakaan terhadap peraturan perundang-undangan, khususnya Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual, serta doktrin dan literatur hukum terkait. Sementara itu, pendekatan yuridis empiris dilakukan dengan menggali data lapangan melalui wawancara dengan aparat kepolisian dan pihak terkait dalam penanganan perkara tindak pidana kekerasan seksual. Data yang diperoleh dianalisis secara kualitatif untuk menilai kesesuaian antara ketentuan normatif dan praktik pemberian Perlindungan Sementara di lapangan.

Hasil penelitian menunjukkan bahwa kepolisian memiliki peran yang sangat strategis dalam pemberian Perlindungan Sementara kepada korban tindak pidana kekerasan seksual, khususnya pada tahap awal pelaporan. Berdasarkan teori peran Soerjono Soekanto, peran kepolisian dalam pemberian Perlindungan Sementara secara normatif dan ideal telah sesuai dengan ketentuan peraturan perundang-undangan dan harapan masyarakat. Namun, secara faktual pelaksanaannya belum optimal sehingga masih terdapat kesenjangan antara ketentuan normatif dan praktik di lapangan. Selanjutnya, berdasarkan teori penegakan hukum Soerjono Soekanto, faktor dominan yang memengaruhi pemberian Perlindungan Sementara adalah faktor aparat penegak hukum dan faktor masyarakat. Keterbatasan sumber daya manusia aparat kepolisian serta rendahnya kesadaran hukum masyarakat menjadi hambatan utama, sementara faktor hukum, sarana dan prasarana, serta faktor kebudayaan pada dasarnya telah tersedia namun belum efektif tanpa dukungan kesiapan aparat dan kesadaran hukum masyarakat.

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Maka diperlukannya peningkatan peran kepolisian melalui penguatan kapasitas aparat, optimalisasi koordinasi antarinstansi, serta konsistensi penerapan norma hukum, disertai peningkatan kesadaran hukum masyarakat melalui edukasi agar perlindungan terhadap korban tindak pidana kekerasan seksual dapat terlaksana secara efektif dan sesuai dengan ketentuan peraturan perundang-undangan.

***Kata Kunci : Kepolisian, Perlindungan, Korban, Kekerasan Seksual.***

## ***ABSTRACT***

### ***THE ROLE OF THE POLICE IN PROVIDING TEMPORARY PROTECTION TO VICTIMS OF CRIMINAL ACTS OF SEXUAL VIOLENCE***

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Sexual violence is a crime that has serious impacts on victims, both physically, psychologically, and socially, and therefore requires prompt and effective protection from the early stages of the legal process. Providing Temporary Protection to victims, as stipulated in Article 42 of Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence, is a form of state responsibility in guaranteeing the safety and rights of victims. The problem formulation is the role of the police in providing Temporary Protection to victims of sexual violence and the factors that hinder law enforcement in providing Temporary Protection to victims of sexual violence.

This research employs normative juridical and empirical juridical methods. The normative juridical approach is conducted through library research on relevant laws and regulations, particularly Law Number 12 of 2022 concerning Sexual Violence Crimes, as well as legal doctrines and related literature. Meanwhile, the empirical juridical approach is carried out by collecting field data through interviews with police officers and related parties involved in handling sexual violence cases. The data obtained are analyzed qualitatively to assess the conformity between normative legal provisions and the practice of providing Temporary Protection in the field.

The research results show that the police have a very strategic role in providing Temporary Protection to victims of sexual violence, especially in the early stages of reporting. Based on Soerjono Soekanto's role theory, the police's role in providing Temporary Protection is normatively and ideally in accordance with the provisions of laws and regulations and community expectations. However, in fact, its implementation has not been optimal, resulting in a gap between normative provisions and practice in the field. Furthermore, based on Soerjono Soekanto's law enforcement theory, the dominant factors influencing the provision of Temporary Protection are law enforcement officers and community factors. Limited human resources within the police force and low public legal awareness are the main obstacles, while legal factors, facilities and infrastructure, and cultural factors are basically available but are not effective without the support of officer readiness and community legal awareness.

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Therefore, it is necessary to increase the role of the police by strengthening the capacity of officers, optimizing inter-agency coordination, and consistently implementing legal norms, accompanied by increasing public legal awareness through education so that protection for victims of sexual violence can be implemented effectively and in accordance with the provisions of laws and regulations.

***Keywords: Police, Protection, Victims, Sexual Violence.***