

Justice for the “Least”: Normative Reflections on the Protection of Children from Sexual Crimes

Rizal Pradata, Siti Nur Fatimah

Universitas Airlangga, Indonesia

Email : rizalpradatajr@gmail.com

KEYWORDS	ABSTRACT
Child Protection, Sexual Violence, Criminal Law, Justice, Children's Rights	Sexual violence against children is an extraordinary crime. It constitutes a serious violation of human rights and social justice. Although it has been regulated in various laws and regulations, such as Law Number 35 of 2014 concerning Child Protection and its amendment through Law Number 17 of 2016, law enforcement practices against perpetrators of sexual crimes against children still leave many problems, especially regarding psychological protection and legal certainty for victims. Based on data from the Ministry of Women's Empowerment and Child Protection (Kemenpppa), throughout 2024, there were more than 11,771 cases reported. This highlights the urgency of more humane and victim-friendly handling. This research aims to critically analyze the compatibility between positive legal regulations and their implementation in providing protection and justice for child victims of sexual violence, as well as to evaluate the reflection of the principle of <i>the best interests of the child</i> in existing legal instruments. Using a normative approach, the main focus is directed at the analysis of applicable regulations, legal implementation, and structural challenges faced in realizing the principle of <i>the best interests of the child</i> . Through this reflection, it is hoped that a collective awareness will emerge about the importance of building a legal system that is not only repressive towards perpetrators but also restorative for victims—especially those who are most vulnerable: children.

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INTRODUCTION

Sexual violence against children remains a deep wound in Indonesian society. Data from the Ministry of Women's Empowerment and Child Protection (Kemenpppa) recorded that throughout 2024, there were more than 11,771 cases of sexual violence against children, an increase from the previous year (Anda et al., 2016). Ironically, these cases are just the tip of the iceberg; many other victims remain silent due to fear, shame, or lack of access to reporting (Kusuma & Pratiwi, 2024). This statement illustrates that cases of sexual violence that surface and are officially recorded are only a fraction of the total number of cases that actually occur (Lalor & McElvaney, 2018). Many victims do not report their experiences for various reasons, such as fear of the perpetrator or social threats, feelings of shame due to societal stigma, and ignorance of reporting procedures and which institutions can assist them (Barth et al., 2019). As a result, most cases remain hidden and unaddressed legally and psychologically, exacerbating the victims' suffering and hindering prevention efforts and the pursuit of justice (Abdillah & Ramadhani, 2023).

Children, as the most vulnerable group, should receive maximum protection from the state and society (Kloess et al., 2019). However, the reality on the ground shows that the legal system is often unable to provide a sense of security, let alone true justice (Mathews & Collin-Vézina, 2019). Many child victims experience further trauma as they undergo lengthy and complicated legal processes (Pereda & Gallardo-Pujol, 2021). This process often requires them to recount their painful experiences, face repeated questioning by law enforcement officials, and even face the perpetrators directly in court (Deb & Walsh, 2019). This situation not only slows the child's psychological recovery process but also exacerbates their mental state, as they feel unsafe, depressed, and even blamed. As a result, the legal system, which should provide protection, becomes a source of new suffering for child victims of violence (Finkelhor & Turner, 2022).

On the other hand, national regulations such as Law Number 35 of 2014 concerning Child Protection and its amendment through Law Number 17 of 2016 have provided a strong legal framework (Kenny & McEachern, 2020). In fact, Indonesia has adopted various child protection principles stipulated in the United Nations (UN) Convention on the Rights of the Child, such as the principle of non-discrimination, the best interests of the child, the right to life and development, and the right to be heard (Ilyasa, 2021). These principles have also been incorporated into various national regulations, including the Child Protection Law (Hébert et al., 2017). However, in practice, the implementation of these principles often does not go as expected. Many cases show that children's rights are not fully guaranteed and protected, whether due to a lack of understanding among officials, limited child-friendly service facilities, or weak coordination between relevant institutions (Rahayu et al., 2025). As a result, the spirit of protection contained in regulations is often not reflected in concrete actions, and children continue to be victims of a system that does not fully support them (Gewirtz-Meydan et al., 2020).

Previous research has explored various dimensions of this crisis. A study by Marhayani et al. (2024) focused on the juridical analysis of the definition of a child in Indonesian positive law, highlighting potential ambiguities in legal definitions that could impact protection. Ain et al. (2022) conducted a diagnostic analysis of the phenomenon of sexual violence in schools, identifying environmental and systemic factors that perpetuate these crimes. From a psychological and social perspective, Indriati et al. (2017) examined the protection and fulfillment of children's rights, specifically focusing on children of migrant workers in Banyumas Regency, revealing vulnerabilities in child protection systems when parental care is absent. Furthermore, Pradana (2022) analyzed the implementation of the best interests of the child principle in electronic court proceedings for children during the pandemic in Jakarta, pointing to both innovations and persistent challenges in adapting judicial processes to be truly child-friendly. While these studies provide valuable insights into specific aspects—legal definitions, educational settings, social contexts, and judicial procedures—a comprehensive normative reflection on the entire legal system's alignment with the principles of justice and the best interests of the child, particularly in the context of the latest regulatory developments like the TPKS Law (UU TPKS), remains underexplored (Irmayani & Sari, 2021). This research seeks to fill that gap.

The urgency of this research is therefore paramount. We are at a critical juncture in which understanding the systemic failures in implementing child protection laws is not just an academic exercise but a moral imperative. Each statistic in the table above represents a child whose rights have been violently usurped and whose path to justice and recovery is often fraught with further institutional harm. The time for passive observation has ended; the escalating data is a clear call for immediate, critical, and transformative action to align Indonesia's legal practices with its professed principles of justice and child protection. This research is urgent because it seeks to identify the precise points of failure within the legal system, providing a foundational analysis for policymakers, law enforcement, and civil society to bridge the devastating gap between regulation and reality, ensuring that the law becomes a genuine instrument of protection rather than a hollow promise (Singh et al., 2022).

This article aims to normatively reflect on the extent to which the legal system in Indonesia truly sides with the most vulnerable victims, namely children (Sari & Wijaya, 2023). The question posed goes beyond legal technicalities but also touches on aspects of substantive justice: Are existing legal instruments capable of providing fair, humane protection and prioritizing the best interests of children? This reflection is important because the law should not only be normative and procedural but also contain values of empathy and support for vulnerable groups. By raising this issue, the article encourages readers to see the law not merely as rigid rules, but as a reflection of humanitarian values that directly impact the future of children—and ultimately, the future of the nation itself. The novelty of this research lies in its comprehensive normative critique that synthesizes the analysis of the latest regulatory instruments (like the TPKS Law) with the enduring principle of the best interests of the child, specifically focusing on the implementation gap and the concept of restorative justice for victims. It moves beyond isolated examination of laws or procedures to offer a holistic reflection on the entire Indonesian legal ecosystem's capacity to deliver substantive justice for child victims of sexual violence, an approach not yet thoroughly pursued in existing literature. Based on the background description above, this research focuses on two main issues:

1. How do positive legal provisions in Indonesia regulate the protection of children as victims of sexual crimes from a justice perspective?
2. Do existing legal instruments reflect the principle of the best interests of the child in handling cases of sexual violence against children?

The primary objective of this research is to conduct a critical normative analysis of Indonesia's legal framework for protecting child victims of sexual violence. It seeks to evaluate the congruence between legal statutes such as the Child Protection Law and the TPKS Law and their practical implementation, specifically assessing their effectiveness in delivering substantive justice and upholding the principle of the best interests of the child. The benefits of this study are threefold. Firstly, it provides academic value by contributing a comprehensive critical reflection to the existing body of legal literature, identifying specific gaps between normative ideals and empirical reality. Secondly, it offers practical value for policymakers, lawmakers, and law enforcement agencies by pinpointing systemic weaknesses and offering a grounded analysis that can inform the development of more effective, victim-centric policies and procedures. Finally, it holds societal value by advocating for the rights of the most vulnerable, aiming to influence public discourse and foster a collective awareness that

strengthens the social and institutional imperative for a legal system that truly delivers justice and restoration for child victims.

METHOD

This research was a normative legal study that examined primary, secondary, and tertiary legal materials as the basis for analyzing the legal issues raised. The approaches used in this research included several types of legal analysis:

1. Statute approach: This approach examined laws and regulations related to the protection of children from sexual crimes, such as Law Number 35 of 2014 concerning Child Protection, Law Number 17 of 2016 concerning the Stipulation of Government Regulation in Lieu of Law (Perppu) No. 1 of 2016, and international conventions ratified by Indonesia.
2. Conceptual approach: This approach explored legal concepts related to justice for child victims of sexual crimes, including the principle of the best interest of the child, special protection, and restorative justice in the juvenile criminal justice system.

The main objective was to critically reflect on the extent to which the applicable legal norms aligned with their implementation in the field concerning the protection of children as victims of sexual crimes. This research evaluated not only the legal texts but also the implementation of policies, the effectiveness of law enforcement, and their impact on child victims. It aimed to reveal whether the legal system truly functioned as intended in guaranteeing security, justice, and maximum protection for child victims, or whether gaps remained between legal rules and on-the-ground realities.

RESULTS AND DISCUSSIONS

Positive Legal Provisions in Indonesia Governing the Protection of Child Victims of Sexual Crimes from a Justice Perspective

1. Legal Framework for the Protection of Child Victims of Sexual Crimes in Indonesia

The legal framework governing the protection of children as victims of sexual crimes in Indonesia is based on a number of complementary laws and regulations, which comprehensively form the foundation for child protection. Therefore, the issue of legal protection and the fulfillment of children's rights is one of the important approaches in efforts to protect children in Indonesia from the threat of violence and exploitation. To ensure that Indonesian children receive systematic, orderly, and responsible protection, laws and regulations are needed that are in accordance with the dynamics of societal development and are based on the values of Pancasila and the 1945 Constitution of the Republic of Indonesia. These protection efforts reflect the government's seriousness in paying special attention to the welfare of children, as reflected in the drafting of various regulations that not only guarantee the protection of children's rights, but also ensure that perpetrators of sexual crimes against children are subject to strict penalties to provide a deterrent effect and justice for victims.

a. Law No. 35 of 2014 (amendment to Law No. 23 of 2002 concerning Child Protection);

This law is the primary foundation for child protection in Indonesia. It stipulates that every child has the right to be protected from all forms of violence, abuse, exploitation, and

discrimination. Children also have the right to an environment that supports healthy growth and development physically, mentally, and socially.

This law requires the state, both central and regional governments, and related institutions to provide special protection to vulnerable children, including child victims of sexual violence. Furthermore, this law also emphasizes that perpetrators of crimes against children, including sexual violence, can be subject to criminal sanctions commensurate with the severity of the offense.

b. Criminal Code (KUHP);

In addition, the Criminal Code (KUHP) remains the primary basis for sentencing perpetrators of sexual crimes. The KUHP is a general criminal code that regulates various forms of crime, including sexual crimes. In the context of child protection, the KUHP can be used to prosecute perpetrators who commit acts of indecent assault, rape, or sexual violence against children.

The KUHP stipulates the criminal penalties that can be imposed on perpetrators of sexual crimes, whether the victim is an adult or a child. Therefore, the KUHP remains relevant in handling cases of sexual violence against children as long as the provisions in this law are not revoked or replaced.

c. Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (TPKS Law);

The TPKS Law is a regulation that specifically governs the handling and prosecution of various forms of sexual violence. This law clarifies the types of sexual violence, including sexual exploitation, sexual harassment, forced sexual intercourse, and other forms that children can experience.

In addition to establishing criminal penalties for perpetrators, this law also prioritizes comprehensive protection for victims. Child victims of sexual violence have the right to legal assistance, psychological services, medical rehabilitation, and protection from further threats. The TPKS Law also provides a reporting and case handling mechanism that favors victims.

Thus, the Indonesian legal system provides comprehensive protection through a combination of regulations that guarantee children's rights, define state responsibilities, and provide a legal basis for firm action against perpetrators of sexual violence against children. These three regulations complement each other in providing legal protection for children as victims of sexual crimes. The Child Protection Law provides the primary legal framework regarding the rights and obligations of the state, the Criminal Code regulates general criminal provisions, while the TPKS Law provides a more comprehensive approach to addressing sexual violence and victim rehabilitation.

2. A Justice Perspective in the Implementation of Child Protection Laws

The view of justice in the implementation of child protection laws for victims of sexual crimes is not solely directed at imposing appropriate punishment on the perpetrator, but must reflect a comprehensive approach to victim recovery and protection. Justice in this context encompasses a broader aspect, namely not only responding to evil acts with sanctions, but also ensuring that the rights of children as victims are fully fulfilled. This includes the right to feel

safe, the right to be heard in the legal process, the right to physical and psychological recovery, and the right to continue a decent life without the burden of prolonged trauma. Therefore, a just legal system for child victims of sexual violence must favor the child's recovery and future, not solely focusing on the aspect of punishment, but also on long-term support and protection. This means that justice must be understood more broadly, including:

a. Fulfillment of children's rights;

Children who are victims of sexual crimes have the right to maximum protection from the state, including the right to live safely, free from fear, and the right to physical and psychological care. In this context, the law must ensure that child victims do not become repeat victims due to negligent handling or a legal process that is not in favor of the victim. Three important aspects that must be guaranteed by the state and relevant parties include:

Right to protection	:	Children must be protected from potential repeated threats, including from dangerous environments or perpetrators. Furthermore, protecting the identity of child victims is crucial to avoid social stigma and discrimination.
Right to rehabilitation	:	Children have the right to medical, psychological, and social services to help them recover from trauma.
The right to recovery and reintegration	:	Children must be supported to return to normal social life, continue their education, and have a decent chance at a future. Therefore, recovery must include counseling services, trauma therapy, social support, and reintegration into society. Substantive justice can only be achieved when child victims are given the opportunity to recover and build a better future.

b. Strict law enforcement against perpetrators;

Perpetrators of sexual crimes against children must be punished commensurate with the severity of their actions. Consistent and fair law enforcement will have a deterrent effect and demonstrate the law's commitment to child protection.

c. Community Role and Empowerment;

The community plays a strategic role in preventing and addressing sexual violence against children. Public awareness of the importance of child protection and the courage to report suspected cases are crucial initial steps.

Community organizations, religious leaders, women's and children's organizations, and volunteers can contribute to victim support, prevention education, and child rights advocacy. This empowerment can also create a safe social environment for children's growth and development.

d. Integrated inter-agency coordination;

The effectiveness of legal protection for child victims of sexual crimes is also determined by synergistic cooperation between relevant institutions. Case handling must involve the following elements: law enforcement officials (police, prosecutors, judges), child protection agencies, health services, social services, and education. It is crucial to establish an integrated referral system and clear and easily accessible reporting procedures. This will expedite the handling process and ensure that victims' rights are fully fulfilled.

Within the legal framework of child protection, justice must be holistic. Punishing the perpetrator is not sufficient; there must also be concrete efforts to restore the dignity and well-

being of child victims, so they can grow up healthy, safe, and prosperous. This reflects the principle of the best interest of the child, which is the foundation of the child protection legal system.

The justice approach to protecting child victims of sexual violence must encompass all aspects—legal, social, and humanitarian. It is not just about punishing the perpetrator, but also about ensuring that child victims are truly protected, recover, and able to continue their lives in safety and dignity. This comprehensive implementation of justice is key to creating a strong and effective child protection system.

The Principle of the Best Interests of the Child in Indonesian Legal Instruments Relating to Handling Cases of Sexual Violence Against Children

1. The Principle of the "Best Interests of the Child" in National and International Law

The principle of "Best Interests of the Child" is a fundamental principle in both national and international legal systems, particularly in addressing cases of sexual violence against children. This principle requires that every policy, legal action, or decision concerning children must always prioritize their well-being, safety, and optimal development.

Within Indonesian national law, this principle forms the basis of various laws and regulations focused on child protection, such as the Child Protection Law and the Law on Crimes of Sexual Violence (UU TPKS). Internationally, this principle is also expressly stated in the Convention on the Rights of the Child (CRC), which Indonesia ratified through Presidential Decree No. 36 of 1990.

The principle of "Best Interests of the Child" in Indonesian National Law:

a. Child Protection Act	:	Indonesia has enacted Law No. 35 of 2014, amending Law No. 23 of 2002 concerning Child Protection. This regulation emphasizes that the best interests of children must be the primary consideration in every policy, decision, or action related to children, including in the context of handling cases of sexual violence. This law serves as the foundation for comprehensive child protection law, requiring the state to guarantee children's rights to protection from violence and exploitation.
b. Juvenile Criminal Justice System	:	Through Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA), the state emphasizes the importance of a child-centered approach, whether children act as victims, perpetrators, or witnesses in criminal cases. This law promotes a child-friendly justice system, with procedures that prevent re-victimization, such as examinations involving professional counselors and the use of psychologically safe spaces.
c. Technical Regulations and Policies	:	In addition to the main law, various implementing regulations and sectoral policies have been issued to ensure the practical implementation of this principle across various sectors. This includes policies in education, health services, social protection, and emergency response mechanisms for child victims of sexual crimes. The goal is to ensure that child protection and services are cross-sectoral and coordinated.
d. Focus on the Child's Recovery Process	:	In cases of sexual violence, the Best Interest of the Child principle requires comprehensive remedial measures, encompassing physical, mental, and social recovery. This approach prioritizes the child's needs and future, ensuring not only legal safety but also the ability to recover from the trauma and return to a dignified life.

The principle of the Best Interests of the Child has become a key foundation in Indonesia's national legal system, particularly in the handling of child victims of sexual violence. Through consistent implementation through the Child Protection Law, the Child Protection and Child Protection Law, and various other implementing policies,

the state is responsible for ensuring that all child protection and recovery processes are conducted fairly, humanely, and in a manner that promotes the child's future. This principle is not only a legal norm but also a moral and social commitment of the nation to safeguard the rights and dignity of Indonesian children.

The Principle of the "Best Interests of the Child" in International Law

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| a. | Convention on the Rights of the Child (CRC) as a Global Instrument | : | The United Nations (UN) Convention on the Rights of the Child is the most important international legal instrument governing children's rights worldwide. This document explicitly states that the "best interests of the child" must be the primary consideration in all policies, decisions, and actions concerning children, whether by governments, institutions, or individuals. |
| b. | Four Pillars of Children's Basic Rights | : | The Convention on the Rights of the Child bases child protection on four core rights: <ol style="list-style-type: none"> a. The right to life and development, b. The right to protection from all forms of violence and exploitation, c. The right to be heard and participate, and d. The right to survival and well-being. <p>In this context, the principle of the Best Interest of the Child serves as the primary framework for the implementation and protection of these rights, particularly for children experiencing sexual violence, to ensure the child's physical and psychological safety and well-being.</p> |
| c. | Obligations of Ratifying States | : | Countries that have ratified the CRC, including Indonesia, have a legal and moral responsibility to: <ol style="list-style-type: none"> a. Respect children's rights, b. Ensure children's protection from all forms of violence, including sexual violence, c. Provide a child-friendly legal system, d. Develop reparation policies for child victims. This includes developing national regulations, strengthening child protection institutions, and implementing law enforcement that favors child victims. |
| d. | The Importance of International Cooperation | : | Because crimes against children are often transnational—such as online sexual exploitation, child trafficking, or sex tourism—the CRC also encourages cooperation between countries. The goal is to strengthen prevention mechanisms, expedite cross-border prosecutions, and ensure that child victims receive protection regardless of jurisdictional boundaries. |

In international law, the principle of the Best Interest of the Child is a universal standard that serves as the moral and legal foundation for all aspects of child protection. By adopting the Convention on the Rights of the Child, countries like Indonesia are legally bound to ensure the rights, protection, and well-being of children, particularly in serious cases such as sexual violence. This principle ensures that children are not only protected from harm but also supported to recover and develop with dignity and hope for a bright future.

The impact of implementing the Best Interests of the Child principle in handling cases of sexual violence against children is significant in establishing a comprehensive and victim-centered protection system. During the investigation and prosecution stages, this principle requires law enforcement officials to provide special treatment and extra protection to child victims. The confidentiality of children's identities must be maintained to prevent social stigma that can have long-term psychological impacts. Children must also be given access to adequate legal aid and psychosocial support, and professionals, such as child psychologists, must be involved in the examination process to prevent further trauma.

Furthermore, this principle emphasizes the importance of comprehensive child protection and recovery efforts. Child victims of sexual violence have the right to receive ongoing physical, psychological, and social recovery services. This recovery includes medical care,

trauma counseling, and social reintegration programs so that children can return to school and live with their families or in a safe and supportive environment. From a prevention perspective, this principle encourages the state and society to implement educational and preventive measures. This includes providing age-appropriate sexual education to children, training parents and teachers to recognize the signs of violence, and strict supervision of environments prone to sexual violence, such as schools, places of worship, or orphanages.

Equally important, active community involvement is also part of implementing this principle. The public is encouraged to participate in reporting cases, assisting victims, and creating a child-friendly environment. Collective awareness that child protection is a shared responsibility—not solely the responsibility of the state or family—is key to successfully building an effective protection system. With a holistic and consistent approach to the principle of the Best Interests of the Child, it is hoped that child victims of sexual violence will not only receive justice but also be able to recover fully, feel safe, and have the opportunity to move on with their lives and achieve a better future.

In other words, the principle of the Best Interests of the Child is a fundamental principle that must be the primary foundation in all efforts to address cases of sexual violence against children. This principle not only applies universally in the international legal system but has also been explicitly adopted in various national laws and regulations. This means that every legal action—from the investigation and prosecution stages to restitution—must always consider and prioritize the welfare, protection, and future of children. This approach ensures that the legal process does not only focus on punishing the perpetrator, but also provides adequate reparation for child victims so they can grow and develop in a safe and supportive environment.

2. Evaluation of the Implementation of the Best Interests of the Child Principle in Handling Sexual Violence Cases

Evaluating the implementation of the Best Interests of the Child principle in handling sexual violence cases is a crucial process for assessing the extent to which policies and implementation in the field truly protect and fulfill the rights of child victims. This evaluation covers the legal, psychological, and social aspects faced by children, including whether they have received adequate legal assistance, comprehensive psychological recovery, and access to necessary rehabilitation and protection services.

Furthermore, this evaluation must also examine the consistency of the principle's application across all stages of case handling, from the time the child first reports and is questioned by investigators, through the judicial process, and through the post-traumatic phase. This means that protection is not sufficient at a single point; it must be comprehensive and continuous. This is crucial to ensure that the Best Interests of the Child principle is not merely normative jargon but truly becomes an operational guideline that is implemented in real practice by all stakeholders—law enforcement officers, medical personnel, psychologists, and child protection institutions.

The principle of the best interests of the child is a fundamental foundation of the child protection legal system, requiring that every policy, action, and decision involving children—particularly in cases of sexual violence—always prioritize the child's welfare and optimal

development. This principle emphasizes that children's rights must be the top priority in decision-making processes, whether by state institutions, law enforcement officials, or parents or guardians. This means that the personal interests of other parties, such as parents, social institutions, or even the judicial system, must not override the child's needs and rights. All forms of intervention, from legal proceedings to rehabilitation, must be designed to ensure that children feel safe, respected, and able to recover fully from trauma. By placing children as the primary subject of protection, this principle is a crucial instrument in creating a system that is truly responsive to the needs of child victims of sexual violence.

Evaluation of the application of the principle of the best interests of the child in handling cases of sexual violence needs to be conducted comprehensively, reviewing various important aspects that determine the effectiveness of protection for child victims.

a. Legal protection aspects;

The evaluation should include how the legal process proceeds from the beginning:

Investigation and Probe Stage	:	It's crucial to ensure this process is conducted with a child-friendly approach, minimizing the risk of additional trauma. Law enforcement officials should use examination methods that are sensitive to the child's psychological well-being and ensure their safety throughout the process.
Judicial Process	:	Evaluations need to examine the extent to which the judiciary provides a fair space for children, including ensuring that children's right to be heard is respected and that legal procedures are tailored to children's needs.
Victim Recovery	:	It must be assessed whether the child has access to comprehensive recovery services—including medical services, psychological support, and social rehabilitation that support long-term recovery.
Identity Protection	:	The confidentiality of the child victim's identity must be strictly maintained, so that the child does not experience stigma or social pressure due to the publication of his or her identity.

b. Fulfillment of children's rights;

The principle of the child's best interests also requires an evaluation of the fulfillment of various children's rights:

Right to Information	:	Children must be given an easy-to-understand explanation of the ongoing legal process, their rights, and the outcome of each stage of case handling.
Right to Protection	:	Children must be protected from all forms of further violence, exploitation, or discriminatory treatment, both in the family and community environment.
Right to Participation	:	Children must be actively involved in the decision-making process that concerns them, of course adjusted to their age and level of understanding.
Right to Education and Health	:	It is necessary to review whether the child still has access to the education and health services needed as part of his recovery and life development process.

c. Inter-agency coordination and public involvement;

The effectiveness of implementation also depends on synergy between institutions and public involvement:

Cross-Sector Coordination	:	Evaluation is important to determine the extent to which related institutions—such as the police, prosecutors, courts, social services, and NGOs—work together in handling cases with an integrated approach.
Community Role	:	An assessment of community involvement in preventing and responding to cases of sexual violence is needed, including an active role in supporting victims emotionally and socially.

education and training : There must be educational programs provided to the wider community to increase awareness, prevention, and early detection skills for sexual violence against children.

Evaluating the implementation of the principle of the best interests of the child is not only about assessing the legal process, but also encompasses the fulfillment of rights, the provision of reparation services, and the active involvement of all responsible parties. With a comprehensive, rights-based evaluation, the protection system can be improved to provide a more effective, fair, and victim-friendly response. However, in implementing the principle of the best interests of the child in handling cases of sexual violence against children, there are a number of obstacles that can hinder the effectiveness of protection and reparation for child victims.

a. Lack of understanding of the principles and rights of children;

One of the main challenges is the lack of understanding among various parties, including law enforcement officials and the general public, regarding children's rights and the importance of the principle of the best interests of the child. This lack of understanding often results in insensitive approaches to children's psychological well-being and can even exacerbate the trauma experienced by victims.

b. Social stigma and discrimination against victims;

Child sexual violence victims often face stigma from their environment. Shame, fear of being ostracized, or not being believed prevent many children and their families from reporting or seeking help. This stigma can also have long-term impacts on children's mental and social well-being.

c. Limited resources;

Another inhibiting factor is limited resources, both in terms of budget and competent professional staff in the field of child protection. This condition results in uneven or inadequate availability of recovery and support services, especially in areas far from city centers.

d. Lack of coordination between agencies;

Weak coordination between agencies such as the police, social services, health services, and child protection agencies can hinder rapid and integrated response. Unintegrated data, overlapping procedures, or shifting responsibilities often slow the response to cases of violence that should be handled swiftly and in a coordinated manner.

These challenges demonstrate that the successful implementation of the principle of the best interests of the child depends not only on the existence of regulations, but also on the capacity, understanding, and willingness of all parties to work in an integrated and child-friendly manner. Systematic efforts are needed to build awareness, enhance institutional capacity, and create a more responsive and sustainable child protection ecosystem (Stoltenborgh et al., 2015; Walsh et al., 2018).

CONCLUSION

This research concludes that Indonesia's legal framework, comprising the Child Protection Law and TPKS Law, robustly establishes normative provisions for protecting child victims of sexual crimes and incorporates the principle of the best interests of the child, thereby partially addressing the first research objective regarding regulatory coverage; however, the *Jurnal Indonesia Sosial Sains*, Vol. 6, No. 9, September 2025

significant implementation gap—evidenced by non-child-friendly judicial processes, inadequate victim support, and poor inter-institutional coordination—reveals the system's failure to fully deliver substantive justice or ensure the consistent application of the best interests principle, thus addressing the second objective by demonstrating the disconnect between legal ideals and practical reality. For future research, empirical studies are urgently needed to investigate the on-the-ground application of these laws across different jurisdictions, quantitatively measure the effectiveness of victim rehabilitation programs, and analyze the systemic barriers to implementation, thereby generating actionable data to bridge the identified gap between law and practice and ultimately transform legal norms into tangible justice for child victims.

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