



**Family Sustainability in Child Sexual Violence Cases:
Exploring Judges' Thinking in Gender-Based Crimes in South Sulawesi**

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Abstract: The family is the smallest entity that plays a crucial role in the social structure of society. This article aims to examine the sustainability of the family in cases of child sexual violence in relation to the thinking of judges in gender-based crimes in religious courts in South Sulawesi. This study is an empirical legal study using the theory of power inequality and gender relations, feminist criminology theory, and law enforcement theory. Data were collected based on interviews and literature studies. The research findings reveal that judges prioritize the protection of children who are victims of sexual crimes, emphasizing the importance of ensuring a fair legal process that considers the physical and psychological well-being of girls who are victims of sexual violence. Sexual violence is a gender-based crime that primarily affects girls, influenced by derogatory perceptions of women and by abuse of power by perpetrators, including parents. The family institution plays a crucial role in protecting the rights of children, especially girls, from sexual crimes. This responsibility includes strict prosecution of perpetrators of sexual crimes, providing support and rehabilitation services for victims, and education on the recognition and prevention of sexual crimes. Theoretically and practically, judges have carried out legal prevention in cases of sexual crimes against girls by considering various factors, namely legal, moral, and social aspects. Judges give top priority to protecting child victims and taking preventive measures.

Keywords: Family sustainability, sexual violence, girls, gender crimes, judge's thinking

Abstrak: Keluarga merupakan entitas terkecil yang memiliki peran krusial dalam struktur sosial masyarakat. Artikel ini bertujuan untuk mengkaji keberlanjutan keluarga dalam kasus kekerasan seksual anak kaitannya dengan pemikiran hakim dalam kejahatan berbasis gender pada Pengadilan Agama di Sulawesi Selatan. Kajian ini merupakan studi hukum empiris dengan menggunakan teori ketidaksetaraan kekuasaan dan hubungan gender, teori kriminologi feminis, dan teori penegakan hukum. Data dikumpulkan berdasarkan wawancara dan studi literatur. Temuan penelitian mengungkapkan bahwa hakim memprioritaskan perlindungan anak-anak yang menjadi korban kejahatan seksual, menekankan pentingnya memastikan proses hukum yang adil yang mempertimbangkan kesejahteraan fisik dan psikologis anak perempuan yang menjadi korban kekerasan seksual. Kekerasan seksual adalah kejahatan berbasis gender yang terutama memengaruhi anak perempuan, dipengaruhi oleh persepsi yang merendahkan perempuan dan oleh penyalahgunaan kekuasaan oleh pelaku, termasuk orang tua. Lembaga keluarga memainkan peran penting dalam melindungi hak-hak anak, terutama anak perempuan, dari kejahatan seksual. Tanggung jawab ini mencakup penuntutan yang ketat terhadap pelaku kejahatan seksual, penyediaan layanan dukungan dan rehabilitasi bagi korban, dan pendidikan tentang pengenalan dan pencegahan kejahatan seksual. Secara teoritis dan praktis, hakim telah melakukan pencegahan hukum terhadap kasus kejahatan seksual terhadap anak perempuan yaitu dengan mempertimbangkan berbagai faktor yaitu aspek hukum, moral, dan sosial. Hakim memberikan prioritas utama untuk melindungi anak-anak yang menjadi korban dan mengambil tindakan pencegahan.

Kata Kunci: Keberlanjutan keluarga, kekerasan seksual, anak perempuan, kejahatan berbasis gender, pemikiran hakim

Introduction

The significance of the family as the smallest entity has a crucial role in the social structure of society.¹ The family is not only considered as a small and embryonic representation of various aspects of human life, but also as an integral part of society that makes an important contribution in shaping positive culture and behaviour.² The individual education process begins in the family environment, which is the basis for creating a healthy societal structure and

¹ Esther N Goody, "Parenthood and Social Reproduction," in *Politics and Kinship* (Routledge, 2021), p. 236. Mursyid Djawas, et.al., "Creating Family Resilience in Indonesia: A Study of "Marriage Guidance" Program in Aceh and South Sumatera," *al-Ihkam: Jurnal Hukum dan Pranata Sosial* 17 No. 1 (2022).

² David Popenoe, *Disturbing the Nest: Family Change and Decline in Modern Societies* (Routledge, 2020). Martin Kustati, et.al., "The Model for Maintaining Families with Noble Character During the Pandemic in Kampung KB Villages," *Jurnal Ilmiah Peuradeun* 12, No. 1 (2024).

entrenching positive cultural values and behaviour from the start.³ The family has a strategic role not only as a service unit for the needs of family members, but also as a place to handle problems that arise in society. This context is caused by the close relationship between problems that occur within the family and the mutual influence between family members and the surrounding community. Thus, the family is considered as the main basis in forming individuals and as the main contributor in forming healthy social dynamics.⁴

Therefore, referring to the perspective of family significance, there is no room for sexual violence against girls whose biological parents are the perpetrators. In fact, the function of parents, including fathers, is a figure who is able to provide guaranteed protection to all family members, including daughters, in maintaining their purity and honour. However, the current reality is that many fathers desecrate their own daughters to the point of causing pregnancy.

Furthermore, cases of sexual violence are currently increasingly widespread and are not limited to the family environment, but can occur in schools, campuses, and even in Islamic boarding schools. Victims are forced to report these acts of sexual harassment to the legal arena. This situation is very heart-breaking because women and girls should receive protection and a sense of security, but instead experience traumatic experiences. Girls become victims of rape by figures such as biological fathers, serial fathers, teachers, or people in the environment, even resulting in out-of-wedlock pregnancies, abortions, and facing deep trauma that is difficult to recover from. The impact on the psychological condition of girls is experiencing shock and difficulty in restoring their self-confidence to a normal condition. As a result, girls who are victims of rape as a form of sexual harassment and do not receive full attention and legal protection tend to fall into commercial sexual exploitation, with a number of underage children even becoming victims. Information from the Women's Child Protection Service records that there are 27 cases of sexual violence that occur every year.⁵

Preventive measures are needed to prevent sexual crimes in various locations. This situation shows the importance of cooperation between various parties, including law enforcement agencies, to prevent and deal with similar incidents. This context aims to maintain the integrity and positive role of Islamic boarding school religious education institutions. The role of the family, which is

³ Xavier Bonal and Sheila González, "The Impact of Lockdown on the Learning Gap: Family and School Divisions in Times of Crisis," *International Review of Education* 66, no. 5–6 (2020), p. 635.

⁴ Joia Crear-Perry et al., "Social and Structural Determinants of Health Inequities in Maternal Health," *Journal of Women's Health* 30, no. 2 (2021), p. 230.

⁵ "https://Ykp.or.Id/Menguak-Data-Jumlah-Kekerasan-Perempuan- Tahun-Ke- Tahun/," nd. Accessed, March 2024.

the main hope and front guard in preventing sexual violence against children and women, has a central role.⁶ The family is an environment that provides a sense of security, protection and education regarding various forms of sexual violence today. However, challenges arise due to advances in digitalization and modern lifestyles. The development of advanced features in the digital era, such as online interaction, is starting to replace the traditional role of the family. For example, moments of discussion and problem solving at the family dinner table tend to be displaced by the presence of online media.⁷ The safety of a girl who has to be outside at night can be enhanced by the assistance of a family member, such as a father or brother, to reduce the risk of crime and sexual violence.

Thus, incidents of sexual violence are caused by an environment that is less responsive to women's conditions, such as situations where women have to work late at night without security escorts. Situations such as coming home late at night without parental supervision, promiscuity, and exposure to content containing sexual violence and immoral behaviour, indicate the need for monitoring and evaluation of the campus or school environment. There is also a need for an assessment of the learning system implemented, enforcing a code of ethics for students, lecturers and teaching staff. All activities carried out must be in accordance with policies that support the protection of women from various forms of sexual crimes.

The classification of sexual violence includes various forms such as physical, sexual and psychological violence that occur in different environments. This violence can take the form of acts such as beatings, sexual abuse, marital rape, female genital mutilation, and other cruel behaviour against women. Violence can also occur outside the husband and wife relationship, such as acts of exploitation of the human body. In society, violence can take the form of sexual abuse, harassment in public places, harassment in the workplace, incidents of harassment in educational institutions, human trafficking, and forced prostitution practices.⁸ Apart from that, in the work environment, violence can occur in the form of justification for acts of physical, sexual or psychological violence.

The family is the foundation of hope for the emergence of a generation that has strong morality, but sometimes, harmony in a family is disturbed so that the role and function of the family experience obstacles and deficiencies in

⁶ Sinta Dewi Rismawati, et.al., "Distorted Meanings, Misplaced Justice: A Socio-Legal Approach of the Delegitimization of Domestic Violence Law in Pekalongan, Indonesia," *Nurani: Jurnal Kajian syari'ah Dan Masyarakat* 25, No. 2 (2025), p. 671-689.

⁷ "Itjen.Kemdikbud.Go.Id 'Mencegah Kekerasan Seksual Di Lingkungan Pendidikan,' Accessed, March 2024.

⁸ Andi Suci Syifawaru, et.al., "Tinjauan Kriminologi Terhadap Residivis Anak Sebagai Pelaku Tindak Pidana Pelecehan Seksual," *Journal of Lex Generalis (JLG)* 3, no. 2 (2022), p. 148-66.

attention, communication and affection. Ideally, the family should be a place where each member can share complaints and find solutions to problems that arise while outside the home.⁹ However, the situation often changes because parents are too involved in work and outside activities so they are less able to give advice or listen to family members' complaints regarding various problems. Communication connectivity between family members is often disrupted due to excessive involvement outside the home, including in social media activities, intense cyberspace, or interactions in places such as cafes, which can increase the risk of sexual violence, such as in nightclubs, club, or new social environment. Therefore, the role of parents is very important to provide attention and affection to children, especially when they start to enter the adult phase and need great support to achieve their dreams.

The development of digitalization has had a big impact by providing broad access to information and making access to various things easier. This can have a positive impact, but it also has the potential to have a negative impact, such as online trading which often displays women in minimal clothing, and can even be connected to the practice of online prostitution, online fraud, cyber crime and various other criminal acts carried out via digital platforms. Sexual violence is often triggered by pornographic content and shows showing sexual harassment which are often available on the internet, so that children and teenagers are vulnerable to committing crimes such as rape and molestation because they are influenced by the content they watch via the internet and digital media.¹⁰ Although we cannot completely blame the media and the content displayed, the role of the family, especially parents, is very important in providing education to children and teenagers, as well as protecting them from potentially dangerous social environments.

Sexual crimes are serious human rights violations, both against children and adults who are victims. The impact of this crime involves physical, psychological, and social aspects on the victim. Physically, sexual crimes can cause minor injuries, serious injuries, permanent disability, and even death. From a psychological perspective, the impact can be seen in sleep disorders, fear of meeting someone who looks like the perpetrator, eating disorders, and emotional problems such as depression. In terms of learning ability, the impact can be decreased, even to the point of wanting to commit suicide. Socially, victims of sexual crimes often have difficulty interacting with their environment, especially if the environment gives a negative stigma towards sexual crimes. Treatment that blames the victim, such as accusing the clothes they wore of

⁹ Rista Ade Supriani and Ismaniar Ismaniar, "Upaya Pencegahan Kekerasan Seksual Pada Anak Usia Dini," *Jambura Journal of Community Empowerment*, (2022), p. 1–20.

¹⁰ Astria Riyani Putri and Dian Alan Setiawan, "Analisis Kriminologis Terhadap Peningkatan Tindak Pidana Pelecehan Seksual Kekerasan Berbasis Gender Secara Online Di Masa Pandemi COVID-19," in *Bandung Conference Series: Law Studies 3*, (2023), p. 323.

being the trigger for the crime, can also cause mental and emotional trauma.¹¹ Sexual crimes, whether in the form of physical acts, threats, or both, can cause psychological trauma and physical injuries that are temporary or permanent, including defects in reproductive organs and even death.

These complex and layered results show that sexual violence against children is a phenomenon rooted in power relations and social structures rather than simply individual criminal acts. Feminist criminology views sexual violence as a means of dominating and controlling the bodies of victims, especially women and girls.¹² According to (Reflections on the Handling of Sexual Violence in Indonesia), the power relations between perpetrators and victims, whether as parents, teachers, or other authority figures, create a space of vulnerability that prevents children from refusing or reporting violence.¹³ Even national data shows that victims of sexual violence are most often girls aged 13–17 years.¹⁴ This data shows that adolescent girls are particularly vulnerable.

Sexual violence against children is influenced by the interaction of various factors at the individual, family, community, and societal levels, in addition to gender- and age-based power imbalances. These interrelated social dynamics are understood in the perspective of social ecology and public health as causes of violence against children. A national study based on a survey of children and adolescents' life experiences shows that exposure to violence among children aged 13 to 17 correlates with social conditions such as not living with biological parents, working at a young age, and witnessing domestic violence.¹⁵ Other research on children's involvement in sports shows that violence can come in many forms. The prevalence of physical violence reaches 66%, sexual violence reaches 38%, and psychological violence reaches 76%.¹⁶ The results show that sexual violence is part of a pattern of violence that is

¹¹Abdi Azis, et.al., “Studi Kriminologi Kejahatan Seksual Terhadap Anak Di Kabupaten Gowa,” *Journal of Lex Generalis (JLG)* 4, no. 2 (2023), p. 715–31.

¹²Indriastuti Yustiningsih, “Perlindungan Hukum Anak Korban Kekerasan Seksual Dari Reviktimisasi Dalam Sistem Peradilan Pidana,” *Jurnal Lex Renaissance* 5, no. 2 (2020), p. 287–306.

¹³Arsa Ilmi Budiarti, et.al., Refleksi Penanganan Kekerasan Seksual Di Indonesia (Indeksasi Terhadap Putusan Pengadilan Tahun 2018 – 2020), *Indonesia Judicial Research Society (IJRS)*, 2022.

¹⁴Yayat Supriatna, et.al., “Kasus Kekerasan Seksual Terhadap Anak Dibawah Umur Ditinjau Dalam Perspektif Undang-Undang Perlindungan Anak,” *Unes Journal of Swara Justisia* 8, no. 2 (2024), p. 349–58.

¹⁵Dwi Octa Amalia et al., “Childhood Violence Exposure and Its Contributing Factors in Indonesia: A Secondary Data Analysis of the National Survey on Children and Adolescents' Life Experience,” *BMJ Open* 15, no. 1 (2025), p. 1–10. M. Aaz Jidatul Haz, et.al., “Restorative Justice: A New Approach to Resolving Domestic Violence,” *Jurnal al-Dustur* 7, No. 2 (2024).

¹⁶Jack Cagney et al., “Prevalence of Sexual Violence against Children and Age at First Exposure: A Global Analysis by Location, Age, and Sex (1990–2023),” *The Lancet* 405, no. 10492 (2025), p. 1817–36.

repeated and can be passed down across generations rather than occurring only once.¹⁷ Therefore, sexual violence against children must be considered not only as a violation of the law, but also as a public health and human rights issue that requires systemic action.

The Supreme Court, as the main pillar in the justice system in Indonesia, supervises four institutions, namely the District Court, Religious Court, State Administrative Court and Military Court. The public hopes that the Supreme Court can maximize its role, especially in resolving perpetrators of sexual violence. Sexual violence are currently considered extraordinary violence s, and seriously threaten the security of women and also occur within the family environment. Information on social inequality with child sexual violence was found that in 2021 there were 19 cases, in 2022 there were 16 cases, and in 2023 there were 32 cases at the Sungguminasa District Court, Gowa Regency. Seeing the large number of sexual violence cases against girls at the Sungguminasa District Court shows that there is social inequality. On the other hand, fathers sometimes use their authority over daughters to make it easier for their crimes to be carried out.

Referring to previous studies such as sexual violence against children in the context of sports can increase the awareness of parents and policy makers regarding the need for preventive measures in the sports environment to protect children.¹⁸ Study explores factors influencing disclosure of sexual violence among girls.¹⁹ Child sexual violence is a serious issue that impacts public health, including the risk of revictimization in adulthood. Risk factors such as violence in the home environment, risky sexual behavior during adolescence, and post-traumatic stress disorder.²⁰ Children who experience sexual violence are at

¹⁷ P Malik, "A Twist to Pedigree: Commitment without Ceremony.," *IAHRW International Journal of Social Sciences Review* 13, no. 01 (2025), p. 204–9. Cagney, et al., "Prevalence of Sexual Violence against Children and Age at First Exposure: A Global Analysis by Location, Age, and Sex (1990–2023)."

¹⁸ Ingunn Bjørnseth and Attila Szabo, "Sexual Violence against Children in Sports and Exercise: A Systematic Literature Review," *Journal of Child Sexual Abuse* 27, no. 4 (2018), p. 365–85.

¹⁹ K H Nguyen, "Disclosure of Sexual Violence Among Girls and Young Women Aged 13 to 24 Years: Results From the Violence Against Children Surveys in Nigeria and Malawi," *Journal of Interpersonal Violence* 36, no. 3 (2021). A Tamarit, "The Impact of Adolescent Internet Addiction on Sexual Online Victimization: The Mediating Effects of Sexting and Body Self-Esteem," *International Journal of Environmental Research and Public Health* 18, no. 8 (2021). L M Schwab-Reese, "A Comparison of Violence Victimization and Polyvictimization Experiences Among Sexual Minority and Heterosexual Adolescents and Young Adults," *Journal of Interpersonal Violence* 36, no. 11 (2021).

²⁰ A M Campbell, "Intimate Partner Violence and Pet Abuse: Responding Law Enforcement Officers' Observations and Victim Reports From the Scene," *Journal of Interpersonal Violence* 36, no. 5 (2021), p. 2353–72. S Rice, "Gender Norms and the Mental Health of Boys and Young Men," *The Lancet Public Health*, 2021. R G Grose, "Sexual and

higher risk of re-victimization and the role of mental health services in mitigating this risk.²¹ Violence while participating in children's sports, mainly in the form of psychological (76%), physical (66%), and sexual (38%) violence.²²

So far, there has been very little study of family continuity in child sexual violence, by exploring the thoughts of judges regarding gender crimes in the District Court. The aim of this study is to observe family continuity through child sexual violence committed by their own parents, thereby confirming law enforcement by judges in the District Court. Furthermore, this study considers legal considerations and decisions taken by judges in child sexual violence cases involving gender and women's issues.

This research was followed up with descriptive qualitative, with a socio-juridical approach, a phenomenological approach, and a gender feminist approach. Research location Sungguminasa District Court, Gowa Regency, South Sulawesi Province, Indonesia. Primary data comes from judges at the Sungguminasa District Court. Secondary data sources come from books, articles and documents in the form of judge's decisions at the Sungguminasa District Court. Data collection techniques include observation, in-depth interviews with judges, and documentation. Data analysis used the theory of inequality in power and gender relations, feminist criminology theory, and law enforcement theory.

Sexual Violence Against Children In Indonesia

The results of the study show that judges consider sexual violence against children to be a serious problem that affects the lives of victims and their families. Judges focus on the best interests of the child when handling cases, especially protecting the physical and mental well-being of victims during the legal process. As a result, judges emphasize that case examinations must be conducted carefully, without haste, and in a manner that represents justice for the victims and their families, including considering the impact of the trial on

Reproductive Health Outcomes of Violence Against Women and Girls in Lower-Income Countries: A Review of Reviews," *Journal of Sex Research* 58, no. 1 (2021), p. 1–20.

²¹ A Mennicke, "Sexual Minority High School Boys' and Girls' Risk of Sexual Harassment, Sexual Violence, Stalking, and Bullying," *Violence Against Women* 27, no. 9 (2021), p. 1361–78. Siti Urbayatun, et.al., "Sexual Harassment in Boys: An Overview of Child Victims and Child Perpetrators in Indonesia," *Jurnal Ilmiah Peuradeun* 11, No. 1 (2023). M Hébert, "A Review of Mediators in the Association between Child Sexual Abuse and Revictimization in Romantic Relationships," *Journal of Child Sexual Abuse* 30, no. 4 (2021), p. 385–406. B Mathews, "The Prevalence of Child Maltreatment in Australia: Findings from a National Survey," *Medical Journal of Australia* 218 (2023).

²² A Pankowiak, "Psychological, Physical, and Sexual Violence Against Children in Australian Community Sport: Frequency, Perpetrator, and Victim Characteristics," *Journal of Interpersonal Violence* 38, no. 3 (2023), p. 4338–65.

the child's welfare after the decision.²³ In particular, research findings show that judges consider procedural protection as part of substantive justice. Hearings must be conducted in closed session, the victim's identity must be protected through anonymization of the decision, and the child's testimony must be obtained carefully to prevent re-traumatization. To compile social research and strengthen the victim's information in the case file, social worker assistance from the investigation stage is considered important. This method shows that judges focus on punishing perpetrators and restoring the dignity of victims as well as protecting children's rights in the legal process.²⁴

The fact that child sexual violence usually occurs in unequal relationships and often without direct witnesses shows the judges' focus on the best interests of the child. Child victims are vulnerable because they are not yet socially and psychologically mature, making them prone to fear, confusion, guilt, and a tendency to remain silent. Minor errors in procedure, such as examinations that are stressful or not child-friendly, can exacerbate the trauma experienced by victims and reduce the information they provide at trial. Furthermore, the literature shows that the psychological consequences of child sexual violence can be long-lasting and affect the social, emotional, and cognitive development of victims.²⁵

Research findings show that judges view family relationships as dangerous elements because they involve violence of power and betrayal of the family's protective function. Sexual violence is considered not only a criminal act but also a destruction of the child's trust and security if the perpetrator is the biological father, stepfather, or a person who has authority over the victim. Sexual violence in this context is a practice of domination that destroys family integrity, places victims under psychological pressure, and makes it difficult for them to recount their experiences of violence. The close relationship between the perpetrator and the victim increases the victim's vulnerability and complicates the handling of cases, according to research on child sexual violence.²⁶

Previous research indicates that family conditions and social environments are associated with child sexual violence. A national survey-based study shows that social factors such as not living with biological parents,

²³Yustiningsih, "Perlindungan Hukum Anak Korban Kekerasan Seksual Dari Reviktimisasi Dalam Sistem Peradilan Pidana." Iza Agna Batian and Hartanto, "Kekerasan Seksual Terhadap Anak: Dampak Dan Upaya Perlindungan," *IJOLARES: Indonesian Journal of Law Research* 2, no. 2 (2024), p. 32–41

²⁴Yustiningsih, "Perlindungan Hukum Anak Korban Kekerasan Seksual Dari Reviktimisasi Dalam Sistem Peradilan Pidana."

²⁵Fachria Octaviani and Nunung Nurwati, "Analisis Faktor Dan Dampak Kekerasan Seksual Pada Anak," *Jurnal Ilmu Kesejahteraan Sosial Humanitas* 3, no. II (2021), p. 56–60.

²⁶Sarip Hidayat et al., "Penegakan Hukum Terhadap Kekerasan Seksual Pada Anak Di Kabupaten Kuningan," *Tahkim* 19, no. 1 (2023), p. 16–26.

working at a young age, and witnessing domestic violence correlate with exposure to violence in children aged 13 to 17 years.²⁷ In addition, research on how surveys on violence against children are conducted in Indonesia shows that there are problems with case disclosure. These include poor survey response rates (66.6% for females and 56.1% for males), indicating that there are “dark figures” or unreported cases.²⁸ This reinforces the argument that, when compared to the number of cases that come to court, child sexual abuse is a much more widespread phenomenon.

Furthermore, changing justice in cases of child sexual abuse means recognizing that the family is not only the place where violence occurs, but also the place that must be restored. Sexual incidents involving parents or close family members cause physical and mental damage to victims in addition to destroying family trust. By making firm decisions against perpetrators and protecting victims, judges serve as moral and social reconstructors in these situations. This method is in line with the idea that the judiciary must protect vulnerable groups and strengthen the social resilience of families, which are an important component of society.^{29; 30}

Data on child sexual violence cases in the Sungguminasa District Court (19 cases in 2021, 16 cases in 2022, and an increase to 32 cases in 2023) is seen as an indicator of an increase in cases, not an increase in social inequality. This increase shows that domestic power relations and gender inequality continue to be major factors in the occurrence of child sexual violence. From a sociological perspective, these figures show that the social and family environment has failed to provide protection and that the judicial system has a strategic role in providing stronger legal protection for girls who are victims.

In legal terms, the reference made by judges to Article 183 of the Criminal Procedure Code (negative legal system) is very important. A guilty verdict must be based on at least two pieces of valid evidence and the judge's conviction. However, in cases of child sexual violence, the system of evidence is often difficult because the violence takes place without witnesses, the victim is traumatized, or the family forces the disclosure to be delayed. As a result, medical and forensic evidence is crucial to support the case and prevent the

²⁷ Amalia et al., “Childhood Violence Exposure and Its Contributing Factors in Indonesia: A Secondary Data Analysis of the National Survey on Children and Adolescents’ Life Experience.”

²⁸ Lauren Rumble, et. al., “The Importance of Contextual Factors in Carrying Out Childhood Violence Surveys: A Case Study from Indonesia.” *Child Indicator Research* 11, No. 2 (2018).

²⁹ Arsa Ilmi Budiarti, “Refleksi Penanganan Kekerasan Seksual Di Indonesia (Indeksasi Terhadap Putusan Pengadilan Tahun 2018 – 2020).”

³⁰ Rosmalinda Makrof, “The Right of Restitution for Child Victims of Keputusan Mahkamah Yang Berkaitan Keganasan Seksual Dikalangan Kanak-Kanak” 29 (2021), p. 167–97.

victim from being the sole source of evidence. Forensic research has found that, in legal terms, the judge's reference to Article 183 of the Criminal Procedure Code (negative legal system) is very important. A guilty verdict must be based on at least two pieces of valid evidence and the judge's conviction. However, in cases of child sexual violence, the burden of proof is often difficult because the abuse takes place without witnesses, the victim is traumatized, or the family withholds disclosure. As a result, medical and forensic evidence is essential to support the case and prevent the victim from being the sole source of evidence. Forensic studies show that documenting injuries with photographs and using digital imaging technology can improve the interpretation of injuries and strengthen evidence in legal proceedings, while reducing the need for repeated examinations that can exacerbate the victim's trauma³¹. This shows that strong evidence is a procedural necessity and part of victim protection.

The results of this study show that there are two sides to the criminal justice system. Courts can serve as a place for restoring the dignity of victims if procedures are child-friendly, gender-sensitive, and provide psychosocial protection. On the other hand, if victims are treated only as a means of proof, forced to relive traumatic experiences, or do not receive adequate assistance, courts can serve as a place of revictimization. Victim recovery in such situations requires ongoing social support and improvements to the mental health system. Schools are important places for trauma recovery and building children's resilience, but studies across Asia show that mental health literacy in school settings is still lacking.³² Therefore, to rehabilitate child sexual abuse victims, the judicial system, psychological services, and social and educational institutions must be integrated.

Research findings indicate that there are many policy initiatives that can be developed. First, standards for social worker assistance and psychological services must be applied throughout the legal process, from investigation to trial, to prevent revictimization and ensure that victims receive adequate emotional support.³³ Second, it is important to improve the restitution and rehabilitation systems for victims so that the judge's decision not only punishes the perpetrator but also ensures the victim's recovery.³⁴ Third, the evidence system must be supported by adequate forensic facilities, including professional medical

³¹ Yuli Budiningsih et al., "Digital Image Characteristics for Enhanced Interpretation in Child Sexual Violence Case Examinations," *Medical Journal of Indonesia* 33, no. 1 (2024), p. 9–12.

³² Fumiko Shibuya et al., "Comparative Study on School-Based Mental Health Literacy in Three Asian Countries," *Tropical Medicine and Health* 53, no. 1 (2025)

³³ Yustiningsih, "Perlindungan Hukum Anak Korban Kekerasan Seksual Dari Reviktifikasi Dalam Sistem Peradilan Pidana." Arsa Ilmi Budiarti, *Refleksi Penanganan Kekerasan Seksual Di Indonesia (Indeksasi Terhadap Putusan Pengadilan Tahun 2018 – 2020)*.

³⁴ Makrof, "The Right of Restitution for Child Victims of Keputusan Mahkamah Yang Berkaitan Keganasan Seksual Dikalangan Kanak-Kanak."

documentation, so that evidence can be strengthened and victims can be relieved of psychological pressure.³⁵ Fourth, public literacy about sexual violence must be improved through family and community education. This will make it possible to reduce the culture of patriarchy and victim silencing, which often occurs.³⁶ In this way, the role of judges can be considered central to reframing justice that not only punishes perpetrators but also restores victims and ensures that families remain safe for girls.

Judges' Views on Handling Child Sexual Crimes

Sexual violence against children is still a serious problem today. The increasing trend of sexual violence against children, both physically and psychologically, has become a significant issue at both the national, regional and international levels. Physical and psychological violence between humans has existed since the beginning of human existence on this earth, and this phenomenon still occurs today, and is even likely to continue in the future.³⁷

The judge's thinking regarding child sexual crimes is of utmost priority is to ensure the best conditions for children as victims of sexual crimes, both physically and psychologically. Judges in examining cases must be more careful and must not be careless in making decisions. Examination of cases of children who are victims of sexual crimes must truly represent the child's, parents' and family's sense of justice, and it is even necessary to pay attention to the condition of the child after the trial so that in the trial it must be ensured that children who are victims of sexual crimes must be accompanied by social workers and other people.³⁸

The judge's thinking in considering the circumstances and condition of the child must use fair and humane legal principles when considering the circumstances and condition of the child without ignoring the sense of justice of the victim and the victim's family. In the decision-making process, the judge must consider many things, such as the circumstances and conditions of the children involved in the case, as well as the feelings of justice felt by the victim and his family. Judges must consider that in cases involving children, children

³⁵ Budiningsih et al., "Digital Image Characteristics for Enhanced Interpretation in Child Sexual Violence Case Examinations."

³⁶ Amalia et al., "Childhood Violence Exposure and Its Contributing Factors in Indonesia: A Secondary Data Analysis of the National Survey on Children and Adolescents' Life Experience." Annisa Ariftha and Anang Anas Azhar, "Symbolic Violence Against Women in Medan's Patriarchal Culture," *Jurnal Ilmiah Peuradeun* 11, No. 2 (2023).

³⁷ Diana Yusyanti, "Perlindungan Hukum Terhadap Anak Korban Dari Pelaku Tindak Pidana Kekerasan Seksual (Legal Protection Of Children Victims From Criminal Actors of Sexual Violence)," *Jurnal De Jure, Badan Penelitian Dan Pengembangan Hukum Dan Ham, Kementerian Hukum Dan HAM RI, Jakarta*, 2020.

³⁸ Interview with Shahbuddin, Judge at the Sungguminasa District Court on January 26, 2024.

have different needs and requirements from adults, such as psychological development, educational needs, welfare and child protection.³⁹ Judges must ensure that decisions taken take into account not only the law, but also the best interests of the child. The judge must also consider the sense of justice of the victim and his family, crime victims usually.⁴⁰

When examining and prosecuting sexual crime cases involving children, it is important to consider various factors, including legal, moral, and social aspects. The court process and protection of minors are regulated in Article 183 of the Criminal Procedure Code. Juridical aspects include the laws that apply in court, such as the court process, witnesses, evidence, and appropriate punishment. The moral and ethical principles underlying the handling of child sexual crime cases include supporting victims and restoring their rights and dignity. The sociological aspect considers social factors that influence child sexual crimes, such as family environment, education and culture. Apart from that, the main priority is to protect children who are victims and take preventive measures.⁴¹

A judge is expected to be able to understand the child as someone who is still unstable, who is not yet able to think carefully about the actions he has committed, so that the sentence is not too harsh. Imposing punishment is only seen as education for children and as a deterrent to other children committing the same crime from the perspective of the child as a victim. Children need to receive as much protection as possible to restore their condition both in terms of health and social life.⁴²

Therefore, judges' thoughts on sexual violence against children are generally very serious and emphasize that child protection is the main priority. Judges often consider sexual violence against children to be a very serious crime that can have long-term psychological and emotional impacts on victims. In cases of sexual violence against children, judges tend to be sensitive to the needs and interests of children and try to ensure that the child's safety and welfare are taken into account in the legal process. The judge will carefully consider evidence such as the child's statement, forensic evidence, and expert testimony in the field of child psychology.

³⁹Fajri M. Kasim, et.al., "The Protection of Women and Children Post-Divorce in Sharia Courts in Aceh: A Sociological Perspective," *Ahkam: Jurnal Ilmu Syariah* 22, No. 2 (2022), p. 411–432.

⁴⁰ Interview with Andi Naimmi Masrura, Judge at the Sungguminasa District Court on January 27, 2024.

⁴¹ Interview with Ristanti, Judge at the Sungguminasa District Court on January 26, 2024.

⁴² Interview with Lukman, Judge at the Sungguminasa District Court on January 27, 2024.

The judge may also consider factors such as the relationship between the victim and the perpetrator, whether the perpetrator is an adult or a child, and whether there was an abuse of power or trust in the case. In handling cases of sexual violence against children, judges are obliged to ensure that justice is served in a way that protects the rights of child victims and provides a safe environment for children in society, morally and legally responsible.

Gender Crimes in Child Sexual Violence

Of course, in every child sexual crime offense, it must be understood that the child will not say that A is the perpetrator if nothing has actually happened, so the judge, in essence, must really pay attention to what is best for the child. In court, children must be accompanied by a parent/guardian or social worker when giving a statement before the court and if the child is 15 years old, they must be sworn in. If the child is a victim of a sexual crime, the aggravating factor is that there is a family relationship between the perpetrator and the child who is the victim of a sexual crime. Another thing that can be aggravating is the method of the perpetrator and how many times the perpetrator committed the crime. Also check whether in sexual crimes there is physical violence by hitting and so on and threatening the child so that the child complies with the perpetrator's wishes, these are all burdensome things.⁴³

Gender violence is very synonymous with sexual violence. Men are often the perpetrators and women the victims of sexual violence, which reflects the general pattern of incidents of sexual violence in various communities. Cultural and social factors increase gender views and stereotypes about men's and women's sexual roles. Men are usually seen as having power and control, while women are often seen as weak and feeble objects. Additionally, gender inequality, lack of power in personal relationships, and lack of protection for women can contribute to this condition. Men often exploit women sexually because of this inequality. However, it is important to remember that not all cases of sexual violence involve men as perpetrators or women as victims. Sexual crimes against children always involve physical and non-physical aspects, and never occur voluntarily. This shows that when a child is a victim of sexual violence, it is not only the physical that experiences negative impacts, but also the psychological, emotional and social impacts. "Voluntariness" indicates that children never voluntarily or knowingly consent to or accept sexual crimes committed by men. On the other hand, criminals often force, torture or manipulate children who are victims. Therefore, sexual crimes against children

⁴³ Interview with Shahbuddin, Judge at the Sungguminasa District Court on January 26, 2024.

always result in physical and emotional harm and never occur with the child's consent.⁴⁴

One of the causes of gender violence is society's lack of understanding of law, which means the rules that protect women from sexual violence. An additional factor is a culture that is considered patriarchal, which appoints men as leaders and places them above women socially. This makes society consider harassment or violence against women normal, even in forms that seem trivial. As a result, women who are victims are often blamed or considered guilty, for example because they wear clothes that are considered inappropriate. Lastly, economic problems make women more vulnerable to violence. This is because they may not have the option or resources to leave an unsafe situation.⁴⁵

It is implied in society that women have a lower position. So that some irresponsible individuals simply do not take responsibility for this as a reference for making women victims of sexual violence. Apart from that, people tend to blame the victim for the incident that occurred or victim blaming. Where in some cases, the victim is made into a cornered object to be blamed because they are thought to have invited the perpetrator to commit sexual violence, so that the victim is afraid to report it, making victims of sexual violence reluctant to report the unpleasant incident to the authorities or speak publicly.⁴⁶

Sexual violence, which includes forced sexual intercourse, sexual harassment, and other forms of sexual exploitation, is often directed at girls due to demeaning views towards girls, abuse of power by perpetrators who may have superiority or greater authority. Sexual violence is a gender crime that mainly affects girls. This context is caused by views that demean women and abuse of power by perpetrators, including parents. Sexual violence is not just a physical act, but also includes exploitation and violence which causes great trauma for the victims, especially girls.

Family Sustainability and Protection of Girls' Rights

Family sustainability and protecting girls' rights in the face of sexual crimes cannot be ignored. Families play an important role in character development and protecting and supporting children, including girls. When the family environment is safe, supportive and full of empathy, children tend to

⁴⁴Interview with Andi Naimmi Masrura, Judge at the Sungguminasa District Court on January 27, 2024.

⁴⁵ Interview with Ristanti, Judge at the Sungguminasa District Court on January 26, 2024.

⁴⁶ Interview with Hardiani, Judge at the Sungguminasa District Court on January 27, 2024.

grow into independent and confident individuals.⁴⁷ But not all children are lucky enough to grow up in a stable and safe home.

Every case of sexual crimes against children must prioritize the rights of children as victims of crime. The first stage is that the child must be accompanied by a social worker from the Social Service from the time of the investigation. There must be community research carried out by the social worker in processing, analysing, collecting and presenting the child's information in the Examination Event File. The investigator must be accompanied by his parents and/or guardian. Trial, the trial is held behind closed doors, then to protect the child's identity and identity the decision must be anonymized. The sentence must be commensurate with the perpetrator's actions against children who are victims of sexual crimes. Moreover, if the victim is a child with special needs, this is also a burdensome thing. If there are no mitigating factors for victims of sexual crimes, because the child who is the victim is physically and psychologically traumatized, and especially as the perpetrator is an adult, it is different if the perpetrator and victim are both children.⁴⁸

The urgency of providing care that is appropriate to the child's age by considering the appropriate needs for each stage of life. The child's age shows how important it is to provide attention and support that is appropriate to the child's physical, emotional and social needs.⁴⁹ Children, for example, require a lot of attention and care. They also need guidance and support to progress. To ensure justice for children, including children with disabilities and victims of sexual violence, protecting children's rights is very important. It is vital for the legal system to ensure that children with disabilities are able to obtain legal assistance and other rights in cases such as this. One of the goals of child rights support is to ensure that all children with disabilities have an equal opportunity to get the help they need.⁵⁰

In addition, the judge stated that treating children as sexual victims requires full attention. Children who have been victims of sexual violence require especially sensitive and careful care. Children who have experienced

⁴⁷ M G Wessells, "Bottom-up Approaches to Strengthening Child Protection Systems: Placing Children, Families, and Communities at the Center," *Child Abuse and Neglect* 43 (2015), p. 8–21. J Dunlap, "Male Involvement for the Prevention of Mother-to-Child HIV Transmission: A Brief Review of Initiatives in East, West, and Central Africa," *Current HIV/AIDS Reports*, 2014. T McGinn, "Survivor Perspectives on IPV Perpetrator Interventions: A Systematic Narrative Review," *Trauma, Violence, and Abuse*, 2016.

⁴⁸ Interview with Shahbuddin, Judge at the Sungguminasa District Court on January 26, 2024.

⁴⁹ Roy Syahputra, "Penanggulangan Terhadap Tindakan Kekerasan Seksual Pada Anak Ditinjau Dari Undang-Undang Perlindungan Anak," *Lex Crimen* 7, no. 3 (2018).

⁵⁰ Interview with Andi Naimmi Masrura, Judge at the Sungguminasa District Court on January 27, 2024.

sexual violence often experience shame, fear and confusion. Therefore, it is very important to listen to children attentively and make sure to provide strong emotional support. Children who are victims of sexual violence often need strong psychological support, and law enforcement must ensure that children who are victims of sexual violence feel heard and understood. In handling sexual crime cases involving children, the Judge refers to Article 183 of the Criminal Procedure Code, which is known as negative wettelijk stelsel or the negative evidence system based on law. In this evidentiary system, punishment is based on double evidence, namely on the law and the judge's belief. The judge can only find someone guilty if there are at least two valid pieces of evidence showing the defendant's guilt. In making decisions, judges are only bound by relevant facts and legal rules that form the juridical basis of their decisions.⁵¹

Therefore, sexual violence against girls in this context, who are victims, constitutes a serious violation of human rights. Victims experience physical, psychological, and social impacts as a result of this crime. Sexual violence against the body can result in minor injuries, severe injuries, permanent disability, or even death.⁵² Mental health impacts can include sleep disturbances, eating disorders, and emotional problems such as depression. Impacts on learning abilities can include decreased academic performance or even suicidal thoughts. Victims often struggle to interact socially with those around them, especially when they face stigma and victim-blaming. The assumption that the victim's clothing or behaviour caused the violence only exacerbates the psychological and emotional trauma they experience. Consequently, sexual violence, whether physical or threatened, causes psychological trauma and physical injuries, including damage to reproductive organs and even death.

Protecting girls' rights in the face of sexual crimes means giving them the skills to understand girls' rights, recognizing dangerous situations, and giving them the confidence to report the crimes they experience. This context can be achieved through comprehensive sex education, an understanding of personal boundaries, and the importance of listening to and respecting children's feelings and desires. Overall, maintaining family health and protecting girls' rights in the face of sexual violations is an important part of efforts to build a just, safe, and empowered society. This context requires the cooperation of families, government institutions, and society as a whole to ensure that all children, especially girls, have the opportunity to grow and develop without fear of violence and abuse.

⁵¹ Interview with Ristanti, Judge at the Sungguminasa District Court on January 26, 2024.

⁵² Faisal Zulfikar, et.al., "Maqashid Syariat Asy-Syatibi Review of Marital Rape in the Sexual Violence Crime Law," *Nurani: Jurnal Kajian syari'ah Dan Masyarakat* 23, No. 1 (2023), p. 97-110. Abdul Kholik, et.al., "Developing a Strategic Model of Child-Friendly Pesantren Climate to Prevent Sexual Violence," *Jurnal Ilmiah Peuradeun* 13, No. 2 (2025).

Conclusion

In the minds of District Court judges, family continuity is disrupted by sexual violence against girls committed by their biological parents. Ironically, gender-based crimes such as sexual violence against girls cannot be stopped due to the severity of the crime. Damage to the unclear lineage can lead to girls becoming pregnant as a result of sexual violence committed by biological parents. Judges in handling cases of sexual violence against children are obliged to ensure that justice is upheld in a way that protects the rights of child victims and provides a safe environment for children in society, morally and legally responsible. Sexual violence, which can take the form of forced sexual intercourse, sexual harassment, and other forms of sexual exploitation, is often directed at girls due to demeaning views of women and abuse of power by perpetrators who may have superiority or greater authority. Sexual violence is a gender-based crime that primarily affects girls. Theoretically and practically, judges as part of state institutions have carried out legal prevention of cases of sexual crimes against girls, namely by considering and carrying out prevention from various factors, namely legal, moral and social aspects. Therefore, it is crucial to provide a sense of security and comfort for girls to avoid sexual crimes. This study still has limitations, so it is recommended that in future research, the death penalty be imposed on perpetrators of sexual crimes against children who are deemed to have seriously damaged their future.

References

Journals and Books

- Amalia, Dwi Octa, et.al., "Childhood Violence Exposure and Its Contributing Factors in Indonesia: A Secondary Data Analysis of the National Survey on Children and Adolescents' Life Experience." *BMJ Open* 15, no. 1 (2025). <https://doi.org/10.1136/bmjopen-2024-090618>.
- Ariftha, Annisa, and Anang Anas Azhar, "Symbolic Violence Against Women in Medan's Patriarchal Culture," *Jurnal Ilmiah Peuradeun* 11, No. 2 (2023). DOI: <https://doi.org/10.26811/peuradeun.v11i2.953>.
- Azis, Abdi, et.al., "Studi Kriminologi Kejahatan Seksual Terhadap Anak Di Kabupaten Gowa." *Journal of Lex Generalis (JLG)* 4, no. 2 (2023).
- Bjørnseth, Ingunn, and Attila Szabo. "Sexual Violence against Children in Sports and Exercise: A Systematic Literature Review." *Journal of Child Sexual Abuse* 27, no. 4 (2018).
- Bonal, Xavier, and Sheila González. "The Impact of Lockdown on the Learning Gap: Family and School Divisions in Times of Crisis." *International Review of Education* 66, no. 5–6 (2020).
- Budiningsih, Yuli, et.al., "Digital Image Characteristics for Enhanced Interpretation in Child Sexual Violence Case Examinations." *Medical*

- Journal of Indonesia* 33, no. 1 (2024).
<https://doi.org/10.13181/mji.oa.247169>.
- Budiarti, Arsa Iلمي, et.al. "Refleksi Penanganan Kekerasan Seksual Di Indonesia (Indeksasi Terhadap Putusan Pengadilan Tahun 2018–2020)," *Indonesia Judicial Research Society*, 2022.
- Cagney, Jack, et al. "Prevalence of Sexual Violence against Children and Age at First Exposure: A Global Analysis by Location, Age, and Sex (1990–2023)." *The Lancet* 405, no. 10492 (2025).
[https://doi.org/10.1016/S0140-6736\(25\)00311-3](https://doi.org/10.1016/S0140-6736(25)00311-3).
- Campbell, A M. "Intimate Partner Violence and Pet Abuse: Responding Law Enforcement Officers' Observations and Victim Reports From the Scene." *Journal of Interpersonal Violence* 36, no. 5 (2021).
<https://doi.org/10.1177/0886260518759653>.
- Crear-Perry, Joia, et.al., "Social and Structural Determinants of Health Inequities in Maternal Health." *Journal of Women's Health* 30, no. 2 (2021).
- Dunlap, J. "Male Involvement for the Prevention of Mother-to-Child HIV Transmission: A Brief Review of Initiatives in East, West, and Central Africa." *Current HIV/AIDS Reports*, (2014).
<https://doi.org/10.1007/s11904-014-0200-5>.
- Djawas, Mursyid, et.al., "Creating Family Resilience in Indonesia: A Study of "Marriage Guidance" Program in Aceh and South Sumatera," *al-Ihkam: Jurnal Hukum dan Pranata Sosial* 17 No. 1 (2022).
<https://doi.org/10.19105/al-lhkam.v17i1.615>.
- Goody, Esther N. "Parenthood and Social Reproduction." In *Politics and Kinship*, 236. Routledge, 2021.
- Grose, R G. "Sexual and Reproductive Health Outcomes of Violence Against Women and Girls in Lower-Income Countries: A Review of Reviews." *Journal of Sex Research* 58, no. 1 (2021).
<https://doi.org/10.1080/00224499.2019.1707466>.
- Hébert, M. "A Review of Mediators in the Association between Child Sexual Abuse and Revictimization in Romantic Relationships." *Journal of Child Sexual Abuse* 30, no. 4 (2021).
<https://doi.org/10.1080/10538712.2020.1801936>.
- Hidayat, Sarip, et.al., "Penegakan Hukum Terhadap Kekerasan Seksual Pada Anak Di Kabupaten Kuningan." *Tahkim* 19, no. 1 (2023).
- Iza Agna Batian, and Hartanto. "Kekerasan Seksual Terhadap Anak: Dampak Dan Upaya Perlindungan." *IJOLARES: Indonesian Journal of Law Research* 2, no. 2 (2024). <https://doi.org/10.60153/ijolares.v2i2.48>.
- Jidatul Haz, M. Aaz, et.al., "Restorative Justice: A New Approach to Resolving Domestic Violence," *Jurnal al-Dustur* 7, No. 2 (2024). DOI:
<https://doi.org/10.30863/aldustur.v7i2.7399>.

Saidah, et.al.

DOI: 10.22373/sjhc.v10.i1.32068

- Kholik, Abdul, et.al., "Developing a Strategic Model of Child-Friendly Pesantren Climate to Prevent Sexual Violence," *Jurnal Ilmiah Peuradeun* 13, No. 2 (2025). DOI: <https://doi.org/10.26811/peuradeun.v13i3.2008>.
- Kustati, Martin, et.al., "The Model for Maintaining Families with Noble Character During the Pandemic in Kampung KB Villages," *Jurnal Ilmiah Peuradeun* 12, No. 1 (2024). DOI: <https://doi.org/10.26811/peuradeun.v12i1.1126>.
- M. Kasim, Fajri, et.al., "The Protection of Women and Children Post-Divorce in Sharia Courts in Aceh: A Sociological Perspective," *Ahkam: Jurnal Ilmu Syariah* 22, No. 2 (2022). DOI: <https://doi.org/10.15408/ajis.v22i2.28747>.
- Makrof, Rosmalinda. "The Right of Restitution for Child Victims of of Keputusan Mahkamah Yang Berkaitan Keganasan Seksual Dikalangan Kanak-Kanak" 29 (2021).
- Malik, P. "A Twist to Pedigree: Commitment without Ceremony." *IAHRW International Journal of Social Sciences Review* 13, no. 01 (2025).
- Mathews, B. "The Prevalence of Child Maltreatment in Australia: Findings from a National Survey." *Medical Journal of Australia* 218 (2023). <https://doi.org/10.5694/mja2.51873>.
- McGinn, T. "Survivor Perspectives on IPV Perpetrator Interventions: A Systematic Narrative Review." *Trauma, Violence, and Abuse*, (2016). <https://doi.org/10.1177/1524838015584358>.
- Megías, P. "An Equal Caretaking Working Society." *Revista Del Ministerio de Empleo y Seguridad Social*, no. 131 (2017).
- Mennicke, A. "Sexual Minority High School Boys' and Girls' Risk of Sexual Harassment, Sexual Violence, Stalking, and Bullying." *Violence Against Women* 27, no. 9 (2021). <https://doi.org/10.1177/1077801220937811>.
- Nguyen, K H. "Disclosure of Sexual Violence Among Girls and Young Women Aged 13 to 24 Years: Results From the Violence Against Children Surveys in Nigeria and Malawi." *Journal of Interpersonal Violence* 36, no. 3 (2021). <https://doi.org/10.1177/0886260518757225>.
- Octaviani, Fachria, and Nunung Nurwati. "Analisis Faktor Dan Dampak Kekerasan Seksual Pada Anak." *Jurnal Ilmu Kesejahteraan Sosial Humanitas* 3, no. 2 (2021). <https://doi.org/10.23969/humanitas.v3iii.4118>.
- Pankowiak, A. "Psychological, Physical, and Sexual Violence Against Children in Australian Community Sport: Frequency, Perpetrator, and Victim Characteristics." *Journal of Interpersonal Violence* 38, no. 3 (2023). <https://doi.org/10.1177/08862605221114155>.
- Popenoe, David. *Disturbing the Nest: Family Change and Decline in Modern Societies*. Routledge, 2020.

- Putri, Astria Riyani, and Dian Alan Setiawan. "Analisis Kriminologis Terhadap Peningkatan Tindak Pidana Pelecehan Seksual Kekerasan Berbasis Gender Secara Online Di Masa Pandemi COVID-19." In *Bandung Conference Series: Law Studies*, 3:323, 2023.
- Rice, S. "Gender Norms and the Mental Health of Boys and Young Men." *The Lancet Public Health*, 2021. [https://doi.org/10.1016/S2468-2667\(21\)00138-9](https://doi.org/10.1016/S2468-2667(21)00138-9).
- Rismawati, Sinta Dewi, et.al., "Distorted Meanings, Misplaced Justice: A Socio-Legal Approach of the Delegitimization of Domestic Violence Law in Pekalongan, Indonesia," *Nurani: Jurnal Kajian syari'ah Dan Masyarakat* 25, No. 2 (2025). <https://doi.org/10.19109/nurani.v25i2.30585>.
- Rumble, Lauren, et. al., "The Importance of Contextual Factors in Carrying Out Childhood Violence Surveys: A Case Study from Indonesia." *Child Indicator Research* 11, No. 2 (2018). DOI:10.1007/s12187-017-9457-8.
- Schwab-Reese, L M. "A Comparison of Violence Victimization and Polyvictimization Experiences Among Sexual Minority and Heterosexual Adolescents and Young Adults." *Journal of Interpersonal Violence* 36, no. 11 (2021). <https://doi.org/10.1177/0886260518808853>.
- Shibuya, Fumiko, et al. "Comparative Study on School-Based Mental Health Literacy in Three Asian Countries." *Tropical Medicine and Health* 53, no. 1 (2025). <https://doi.org/10.1186/s41182-025-00697-6>.
- Supriani, Rista Ade, and Ismaniar Ismaniar. "Upaya Pencegahan Kekerasan Seksual Pada Anak Usia Dini." *Jambura Journal of Community Empowerment*, (2022).
- Supriatna, Yayat, et.al., "Kasus Kekerasan Seksual Terhadap Anak Di Bawah Umur Ditinjau Dalam Perspektif Undang-Undang Perlindungan Anak." *Unes Journal of Swara Justisia* 8, no. 2 (2024). <https://doi.org/10.31933/mgnxx857>.
- Syahputra, Roy. "Penanggulangan Terhadap Tindakan Kekerasan Seksual Pada Anak Ditinjau Dari Undang-Undang Perlindungan Anak." *Lex Crimen* 7, no. 3 (2018).
- Syifawaru, Andi Suci, et.al., "Tinjauan Kriminologi Terhadap Residivis Anak Sebagai Pelaku Tindak Pidana Pelecehan Seksual." *Journal of Lex Generalis (JLG)* 3, no. 2 (2022).
- Tamarit, A. "The Impact of Adolescent Internet Addiction on Sexual Online Victimization: The Mediating Effects of Sexting and Body Self-Esteem." *International Journal of Environmental Research and Public Health* 18, no. 8 (2021). <https://doi.org/10.3390/ijerph18084226>.
- Urbayatun, Siti, et.al., "Sexual Harassment in Boys: An Overview of Child Victims and Child Perpetrators in Indonesia," *Jurnal Ilmiah Peuradeun* 11, No. 1 (2023). DOI: <https://doi.org/10.26811/peuradeun.v11i1.787>.

- Wessells, M G. "Bottom-up Approaches to Strengthening Child Protection Systems: Placing Children, Families, and Communities at the Center." *Child Abuse and Neglect* 43 (2015). <https://doi.org/10.1016/j.chiabu.2015.04.006>.
- Yustiningsih, Indriastuti. "Perlindungan Hukum Anak Korban Kekerasan Seksual Dari Reviktimisasi Dalam Sistem Peradilan Pidana." *Jurnal Lex Renaissance* 5, no. 2 (2020). <https://doi.org/10.20885/jlr.vol5.iss2.art3>.
- Yusyanti, Diana. "Perlindungan Hukum Terhadap Anak Korban Dari Pelaku Tindak Pidana Kekerasan Seksual (Legal Protection of Children Victims From Criminal Actors of Sexual Violence)." *Jurnal De Jure, Badan Penelitian Dan Pengembangan Hukum Dan Ham, Kementerian Hukum Dan HAM RI, Jakarta*, 2020.
- Zulfikar, Faisal, et.al., "Maqashid Syariat Asy-Syatibi Review of Marital Rape in the Sexual Violence Crime Law," *Nurani: Jurnal Kajian syari'ah Dan Masyarakat* 23, No. 1 (2023). <https://doi.org/10.19109/nurani.v23i1.16991>

Internet Data

- "<https://Ykp.or.Id/Menguak-Data-Jumlah-Kekerasan-Perempuan-Tahun-Ke-Tahun/>," Accessed, March 2024.
- "Itjen.Kemdikbud.Go.Id 'Mencegah Kekerasan Seksual Di Lingkungan Pendidikan,' Accessed, March 2024.

Interviews

- Interview with Lukman, Judge at the Sungguminasa District Court on January 27, 2024.
- Interview with Shahbuddin, Judge at the Sungguminasa District Court on January 26, 2024.
- Interview with Andi Naimmi Masrura, Judge at the Sungguminasa District Court on January 27, 2024.
- Interview with Ristanti, Judge at the Sungguminasa District Court on January 26, 2024.
- Interview with Hardiani, Judge at the Sungguminasa District Court on January 27, 2024.