



## Role of Police in Handling the Criminal Act of Child Sexual Abuse in Gorontalo City

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### ABSTRACT

This study aimed to understand how the police play a role in addressing criminal acts of sexual abuse against minors and to identify the factors that contribute to the occurrence of such crimes. This research employed a juridical empirical approach, which merges legal methods with empirical data from field studies involving the police, case documentation, literature reviews, and relevant legal materials. The study findings indicated that the police's role in handling child sexual abuse includes preventive, preemptive, repressive, and restorative aspects. In the preventive and preemptive aspects, the police conduct legal counseling, child protection campaigns, and cooperate with schools and communities to provide awareness about the dangers of sexual violence. In the repressive aspect, the police conduct investigations and legal actions against perpetrators based on applicable laws and regulations, such as the Indonesian Criminal Code (KUHP) and Law No. 1 of 2023 on the Indonesian Criminal Code. The restorative role is manifested through victim assistance and psychological and social recovery for children who are victims.

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## INTRODUCTION

Sexual harassment is any sexual act (open or covert) that is emphasized on a child under the age of 18. Paramitha in Idanah famously points out that sexual harassment is an act that forces a person to interact sexually or places someone as an unwanted person or as an object of sexual activity.(Putri, 2022)

Child sexual abuse is a form of child abuse in which an adult or older adolescent uses a child for sexual stimulation. Forms of child sexual abuse include soliciting or pressuring a child to engage in sexual activity (regardless of the outcome), providing indecent exposure of the genitals to the child, displaying pornography for the child, having sexual intercourse with the child, physical contact with the child's genitals (except in certain non-sexual contexts such as medical examinations), viewing the child's genitals without physical contact (except in non-sexual contexts such as medical examinations), or use children to produce child pornography.(Putri, 2022)

Broadly speaking, sexual harassment can be classified into 2 (two) forms, namely: physical or non-verbal and verbal sexual harassment. Physical or non-verbal sexual harassment can be in the form of touching, groping, holding the victim's limbs and the victim being humiliated and intimidated for the act. This act of sexual harassment then continued by kissing or even raping the victim. Sexual harassment with verbs, sentences or words addressed to the victim so that the victim is humiliated and intimidated. In addition, there are also whistling actions from an unknown person to a woman who passes in front of the public and other actions that are done with words/verbs.(Putri, 2022)

Perpetrators of sexual harassment can be charged using the articles of obscenity as stipulated in Articles 281 to 296 of the Criminal Code or Articles 406 to 423 of Law 1/2023 while still paying attention to the provisions of the elements of their respective criminal acts.

Children are a gift from God Almighty who needs to be protected in their dignity and dignity and guaranteed their rights to grow and develop according to their nature. Children as the next generation of the nation, should get adequate rights and needs. On the contrary, they are not the object (target) of arbitrary actions and receive inhumane treatment from anyone or any party. Children who are considered vulnerable to acts of violence and persecution should be cared for, nurtured, and educated as well as possible so that they grow and develop in a healthy and reasonable manner. This of course needs to be done so that in the future there will be no lost generation (Lost Generation).(Hasdiana, 2018)

Children have the right to special family maintenance and assistance as the core of society and as a natural environment for their growth and well-being. Children should be given the necessary protection and assistance, so that they are able to carry out their responsibilities in society. Children should be treated well in a happy, affectionate and understanding family environment. Children must be prepared to face personal life in society and raised in an atmosphere of peace, tolerance and independence.(Hasdiana, 2018)

The rise of violence that has recently occurred against children, both in the form of physical, psychological, and sexual violence, does not receive adequate legal and human rights protection, so that children repeatedly become victims. Often criminal acts against minors can be in the form of rape or molestation, and it is not uncommon for these victims, who are on average still minors, to be killed by these perpetrators. This phenomenon can be detrimental to children because it can cause disturbances to the child's psyche and mentality. Many parties are concerned about the rampant criminal incidents against children that have occurred recently. One form of violence that occurs is actually close to and in a small community of children, namely child molestation.(Hasdiana, 2018)

Sexual harassment is generally grouped into 3 main components, namely: sexual coercion, gender harassment and unwanted sexual attention. Sexual coercion is defined as a direct request or requirement to perform sexual acts in return for work or school, while gender harassment is the degradation of women carried out in groups such as making jokes about women as sex objects or posting images of female objects as sex objects. Finally, unwanted sexual attention is the degradation of women carried out individually, such as treating women as sex objects by sending inappropriate emails or private messages, inappropriate groping or touching, and glancing with sexual intent.(Zaini Miftach, 2018)

The acts of sexual harassment carried out by the perpetrators are certainly very detrimental to the victim. According to Fitzgerald, Swan, and Magley (Burn, 2019), victims who experience sexual harassment feel that the act is very disturbing, offensive, confusing, harassing, intimidating, embarrassing, and frightening to the victim. These acts of sexual harassment can make the perpetrator feel more powerful and satisfied when the victim looks frightened without thinking about how the impact will be on the victim after he commits the act.(Stocks, 2016)

Gorontalo City is one of the countries that experiences abuse of minors. Child abuse that occurs in Gorontalo City, the number continues to increase and has caused many problems, both problems among families and problems in the community, including the increasing number of abuses, because the abuse of minors is psychologically considered unprepared, both the mental and physical readiness of both parties in building communication, due to physical changes, the presence of children, and so on.

Based on data, Gorontalo City said that from 2019-2025 there were 97 cases of molestation and 88 cases of child intercourse. However, in Gorontalo City there are many cases of abuse of minors. The average child who is abused is 13 years old to 17 years old.

## RESEARCH METHODS

This research was conducted at the Gorontalo City Police, with the aim of collecting the necessary data. The plan of this research is to last for about 2 months and will be completed according to the needs of the research.

This study applies a case study approach to gain an in-depth understanding of the role of the police in the crime of abuse of minors in Gorontalo City.

The study adopts a qualitative research method, focusing on case studies, to investigate the "Role of the Police Against the Crime of Abuse of Minors". A qualitative approach was chosen to find out its role as a whole, especially in the Gorontalo City area. The case study method was chosen because the main purpose of the study is to analyze the role of the police in the criminal act of abuse of minors in a specific context, namely in the Gorontalo City Police.

## Types of Research

The types of research on the criminal act of abuse of minors generally include normative legal research, juridical analysis, empirical, and literature research. This research aims to understand the legal aspects, causative factors, and sanctions against the perpetrators.

First, normative legal research was carried out based on the study of applicable laws and regulations, such as the Criminal Code (KUHP), Law Number 35 of 2014 concerning Child Protection, and Law Number 17 of 2016 concerning Child Protection and Chemical Caster. This approach analyzes the legal principles,

child protection principles, and sanctions regulated for perpetrators of child sexual abuse. Second, juridical-empirical research is carried out, namely research that explores how these norms are applied in practice. Empirical data was collected through case studies, interviews with law enforcement officials (police, prosecutor's office, courts), child protection institutions, and observations of the judicial process in child sexual abuse cases. This study aims to identify obstacles in the application of the law and the effectiveness of legal protection for child victims. Third, literature research is also carried out to support the analysis, namely by reviewing various literature, legal journals, academic books, and previous research related to child abuse crimes. Through this literature study, a theoretical foundation was obtained to enrich normative and empirical analysis.

The crime of sexual abuse of minors is a form of serious violation of children's rights that must be protected by the state. Legal protection of children in this context is regulated in various laws and regulations in Indonesia. The Criminal Code (KUHP) contains provisions in Article 290 and Article 292 which regulate child molestation, both in the form of heterosexual and same-sex relationships. In addition, Law Number 35 of 2014 concerning Child Protection specifically provides protection for children from sexual violence, by regulating prohibitions and severe criminal sanctions against perpetrators as stated in Article 76D and Article 82. In the development of national law, Law Number 17 of 2016 introduces additional forms of punishment such as chemical castration and the announcement of the identity of the perpetrator to provide a deterrent effect and protect the community from similar crimes.

The occurrence of criminal acts of child abuse is caused by various interrelated factors. From the individual side, the perpetrator can be influenced by sexual disorders such as pedophilia, psychological disorders, or failure to control sexual urges. Social environmental factors also play an important role, where a family that is not harmonious, lack of supervision of children, and the negative influence of social media can increase the risk of children becoming victims. Economic factors, such as poverty, make children more vulnerable to sexual exploitation. In addition, weak law enforcement and lack of public awareness to protect children are also the causes of the high rate of sexual abuse against children. The combination of these factors suggests that child abuse is not a purely individual problem, but a structural problem that requires a comprehensive approach.

In order to provide maximum protection to children, the law stipulates various forms of sanctions against perpetrators of sexual abuse. The perpetrator can be sentenced to imprisonment with a sentence of between five and fifteen years, as well as a fine of up to five billion rupiah, as regulated in the Child Protection Law. In addition to the main sanctions, there are also additional sanctions in the form of chemical castration to suppress the perpetrator's sexual impulses, as well as the announcement of the perpetrator's identity to the public to prevent potential recidivism. Medical and psychosocial rehabilitation are also implemented as part of efforts to prevent the recurrence of similar crimes. In certain cases, especially if the perpetrator is a public official or educator, administrative sanctions in the form of dismissal from office may be imposed. These overall sanctions are designed to not only punish the perpetrators, but also protect victims and the wider community from the adverse effects of sexual crimes on children.

## RESULTS AND DISCUSSION

### The Role of the Police in the Crime of Abuse of Minors

The National Police of the Republic of Indonesia, especially in the Gorontalo City area, has a very important role in efforts to handle the crime of sexual harassment against minors. In the local context, cases of sexual abuse against children are of serious concern given the social, psychological, and legal impacts they cause, as well as because of the position of children as vulnerable groups in need of special protection. Therefore, the role of the police in Gorontalo City covers various dimensions, ranging from prevention, legal handling, to victim protection. Preventively, the Gorontalo City Resort Police (Polres) through the Women and Children Protection Unit (PPA) conducts various socialization and education programs to the public about the dangers of sexual abuse against children. This program is carried out in the form of legal counseling in schools, Islamic boarding schools, community centers, and in public spaces such as city parks and markets. The socialization aims to increase public awareness about the importance of protecting children from all forms of sexual violence, as well as encourage the public to dare to report to the police if they find or experience similar incidents. The police also collaborate with the Gorontalo City Women's Empowerment and Child Protection Office (DPPPA), social and community institutions, and religious leaders in campaigning for the protection of children's rights.

In the repressive aspect, the Gorontalo City Police acted quickly in handling reports of criminal acts of child abuse. When receiving the report, the police immediately carried out investigation and investigation. In this stage, the police prioritize a child-friendly approach, namely by providing a special space for examining the victim's child, using interview methods that do not cause additional trauma, and presenting companions from competent child psychologists or social workers. In many cases in Gorontalo, the perpetrators of child abuse are close people such as neighbors, teachers, or even the victim's own family, so sensitivity and confidentiality in the investigation process are important aspects that are highly considered.

The PPA Unit of the Gorontalo City Police is also active in collecting important evidence, ranging from *visum et repertum* in hospitals, witness statements, to electronic evidence in cases involving social media or information technology. The police in Gorontalo City also pay attention to the need to protect the identity of the victim's child from being exposed to the public, by keeping personal data confidential and avoiding excessive media exposure that can worsen the psychological condition of the victim. Furthermore, in terms of victim protection, the police collaborate with various related agencies in Gorontalo City to provide safe houses (shelters) for children victims of sexual abuse. At the shelter, the victim received psychosocial assistance, legal guidance, and health services to recover his physical and mental condition. In addition, the mentoring process is also carried out during the judicial stage to ensure that the victim feels safe and dares to give information in front of the court. In addition, the Gorontalo City Police plays a role in overseeing the judicial process so that it runs fairly and quickly. The police are responsible for submitting the case file to the prosecutor's office in a time in accordance with the provisions of the Criminal Code, as well as coordinating with the public prosecutor to speed up the legal process. The police also actively monitor and oversee the implementation of court decisions against the perpetrator, including if there is an order to carry out additional punishments such as rehabilitation or the announcement of the perpetrator's identity.

In recent years, the police in Gorontalo City have also faced challenges that are not light in handling cases of sexual abuse against children. These challenges include the existence of a culture of society that considers sexual harassment as a family disgrace that must be covered, so many cases are not reported. In addition, the limited number of PPA Unit personnel and the lack of child-friendly facilities at the police station are also obstacles in providing optimal services to victims. To address this, the police are working to increase the capacity of their personnel through special training on child protection, expanding cooperation networks with NGOs and government agencies, and encouraging the construction of additional facilities such as child psychology consultation rooms at police offices.

The police in Gorontalo City also showed innovations through the use of information technology in handling cases, such as an application-based reporting system that allows the public to report quickly and safely. In addition, cooperation with local media is directed to provide preventive education, not just reporting cases, but also fostering public understanding of the importance of preventing sexual abuse against children.

### **Preventive**

Preventive in law enforcement refers to efforts to prevent crime through various actions that are not repressive or enforceable. The police play a role as protectors of the community by carrying out activities that aim to reduce the potential for crime.

The crime of sexual abuse of children is a form of crime that is very detrimental to the future of the younger generation. Children as individuals who do not yet have the ability to protect themselves must receive legal and social protection from various parties, especially the police as law enforcement officers who have direct responsibility for public security and order.

Sexual abuse of children can occur in various forms, both physically, verbally, and through online media. The perpetrator can come from the victim's immediate environment such as neighbors, friends, and even their own family members. Ironically, many cases go unreported because victims feel afraid, ashamed, or even don't understand that they are being harassed.

Field data show that public awareness of the dangers of sexual abuse is still low, and many families choose to resolve these cases familially without legal process. This leads to a low reporting rate, even though the actual cases can be much larger than official data.

According to Bambang Poernomo, the preventive approach in law enforcement is all forms of efforts made by law enforcement officials to prevent criminal acts before the crime occurs, through coaching, counseling, and supervision of the community.

George L. Kelling and James Q. Wilson, This theory states that if a broken window is not repaired immediately, then other damage will follow. In a social context, if minor transgressions are left unchecked, then major transgressions will tend to appear. Its application in the context of policing means that an active police presence, strict environmental surveillance, and the handling of minor social symptoms (such as child neglect, domestic violence, and an unsafe environment) can prevent child sexual abuse.

Police Function Theory (Bittner, 1970), The police task is not only to crack down on criminals (repressive function), but also to prevent crime from occurring (preventive function). Through a preventive approach, the police maintain public order and prevent potential violations of the law. As for the Teroti protection of children, this theory refers to the principle that children are legal subjects who need special protection from the state. Protection is not only physical, but also psychological, legal, and social protection.

Police officers on duty in the field, especially in the PPA Unit, are given special training on handling cases of sexual abuse against children so that they have the ability to identify potential threats early on. This is done so that in carrying out their duties, they are not only reactive to reports, but can also act proactively in preventing crime. This training includes psychological understanding of children, communication techniques

with child victims, and early intervention techniques for social conditions of people who are at high risk of sexual abuse.

In this study, the preventive approach refers to the efforts of the police to prevent the occurrence of criminal acts of sexual harassment against minors, through concrete preventive measures before the crime occurs. In contrast to the preemptive approach that focuses on the formation of awareness and the development of moral values, the preventive approach focuses more on direct supervision, situation control, and strategic placement of the apparatus in vulnerable areas.

### **Preemptive**

**Approach Preemptive** In the context of law enforcement, it is a police strategy that is preceded, namely instilling legal awareness in the community so as not to commit offenses or crimes. This approach aims to prevent before the intent to commit a crime arises. This means that preemptive action is very early and is more about building the mentality and legal culture of the community.

In carrying out their duties and functions as law enforcers, protectors, and public servants, the police have a responsibility to maintain security and public order, including preventing criminal acts, especially sexual harassment of minors. One of the important approaches in the prevention framework is the preemptive approach.

The preemptive approach is also a form of police action carried out to prevent the intention or potential of someone to commit a criminal act, by fostering, forming, and directing the community to have legal awareness, social ethics, and concern for child protection. In contrast to the preventive approach which focuses more on the supervision and prevention of crime before it occurs, the preemptive approach is more in the nature of building personal and social awareness and resilience of the community to crime.

According to Prof. Soekanto, the preemptive approach is a police approach that aims to form a law-aware society through educational, persuasive, and communicative coaching. In this case, preemptive is not only about educating potential perpetrators, but also building social resilience so that children and the surrounding environment become more aware, sensitive, and aware of the potential for sexual abuse.

Social Learning Theory, according to Albert Bandura, explains that deviant behavior can be learned from the social environment. Therefore, by providing education, examples, and a positive environment from an early age, a person will learn not to commit unlawful acts, including child abuse.

Social Control Theory states that the stronger an individual's attachment to social norms, the less likely he or she is to break the law. The preemptive approach builds social control from within the community and the family, so that individuals have no intention of sexually abusing children.

This study aims to examine and analyze the role of the police in efforts to prevent the crime of sexual harassment against minors, focusing on a preemptive approach. This approach was chosen because it has an important role in instilling legal, moral, and social responsibility awareness to the community before the emergence of intentions or potential perpetrators to commit crimes.

Through this preventive approach, the police seek to intervene in the situation before a violation of the law occurs, as well as provide a real sense of security to the community, especially children as a vulnerable group.

In this context, preventive approaches are an important part of the study, as their effectiveness greatly affects the success of protecting children from sexual crimes.

### **Repressive**

The repressive approach is part of the law enforcement strategy carried out after a criminal act has occurred. This approach is oriented towards taking action against perpetrators, legal processes, and restoring victims' rights. In the context of the criminal act of abuse of minors, a repressive approach is important to provide a deterrent effect, uphold justice, and prevent similar criminal acts in the future.

Sexual abuse of children is a serious crime that not only violates criminal law, but also destroys the future of children as the next generation of the nation. Therefore, the handling must be carried out quickly, firmly, professionally, and in favor of the victim, and based on the principle of protecting children's rights.

The repressive approach is a law enforcement action that handles, acts, and processes the law against the perpetrators of criminal acts after a crime has occurred. In the context of the police, the repressive approach means the direct handling of criminal events by conducting investigations, investigations, arrests, detentions, and transferring cases to the prosecutor's office.

In this study, the repressive approach is understood as an effort made by the police after the crime of sexual harassment against minors occurs, with the aim of taking action, processing the law, and providing a deterrent effect to the perpetrator. This approach is part of the law enforcement function carried out by the police as a form of protection for victims and affirmation that the state is present in ensuring the rights and safety of children. This study also examines the extent to which the police carry out their repressive functions in a firm, professional, and victim-friendly manner, especially in cases of child sexual abuse that require special and sensitive handling.

### **Restorative**

Alternatively, the restorative justice approach is present as a form of justice that focuses on victim recovery, perpetrator accountability, and community involvement in the process of resolving conflicts or crimes. In the context of child abuse, this approach is important because it seeks to restore the social balance disturbed by criminal acts, as well as prioritizing the interests and needs of child victims, which are often overlooked in the conventional criminal justice system.

Restorative justice is an approach in the criminal law system that aims to repair the losses caused by a crime by bringing together perpetrators, victims, and the community. This approach prioritizes dialogue, acknowledgment, sincere apologies, and mutual agreement to repair the harm caused.

This is important in the case of child or adolescent perpetrators, where many cases of child abuse are committed by fellow children (e.g. due to ignorance or environmental influences).

John Braithwaite proposed the theory of reintegrative shaming, which is the concept of humiliating the perpetrator for his actions in a constructive way, not by punishing him socially, but by showing that his behavior is rejected but he is still accepted as part of the community. The end goal is reintegration, not exclusion. In the case of child abuse, the perpetrator is often the closest person (family, neighbors), so a careful reintegration process is important for the sustainability of healthy social relationships.

The application of a restorative approach in cases of abuse of minors is a progressive step oriented towards victim recovery, perpetrator accountability, and restoration of social relations. Although it cannot replace the criminal legal process in serious cases, this approach is able to provide a humanitarian dimension in handling sexual crimes against children. Supported by theories such as restorative theory, victim needs, labeling, and reintegrative shaming, this approach is an important alternative in reforming the juvenile justice system that is more just, humane, and recovery-oriented.

### **Causative Factors for Sexual Abuse of Minors**

Furthermore, this study also identified the causative factors in the crime of sexual abuse against children in Gorontalo City. The following are some factors that can cause the occurrence of sexual harassment against minors:

#### **Family Factor**

The family is the first and main environment in a child's life. In the family, children should receive affection, protection, and good education so that they can grow and develop optimally. However, in reality, not all families are able to fulfill these functions. Dysfunctional or problematic families can actually be the main source of risk of violence and sexual abuse against children.

#### **Environmental Factors**

Abuse of minors is a very serious crime because it damages children's physical, psychological, and social growth and development. One of the factors that contribute to the occurrence of sexual abuse against children is environmental factors, be it the family environment, the social environment of the community, or the digital environment (social media and internet).

#### **Individual Factors**

Individual factors in the criminal act of sexual harassment of minors refer to the characteristics or personal conditions of the perpetrator that can affect the appearance of such deviant behavior. This factor comes from within the perpetrator himself, and is often rooted in psychological aspects, personality, past experiences, and low levels of education or moral insight. Child sexual abusers often have impaired control of emotions and impulses, and are unable to distinguish or resist inappropriate sexual urges. Some perpetrators have a background of childhood trauma, such as having been a victim of similar violence or abuse, which is unresolved and develops into deviant behavior later in life.

In addition, personality factors such as low self-confidence, inability to form healthy social relationships with adults, or a tendency to abuse power and position, can also trigger acts of sexual abuse against children. The imbalance in moral and ethical development causes the perpetrator to have no empathy for the victim, and considers children as objects of lust, not as individuals who must be protected. In some cases, the perpetrator has psychosexual disorders such as pedophilia, which is a sexual attraction to children, which is the main driver of the criminal act.

Understanding individual factors as the cause of this crime is very important in prevention and rehabilitation efforts. Appropriate approaches to offenders, such as through psychological evaluations and rehabilitation programs, can help reduce the risk of recidivism or reoffending. However, the protection of children remains a top priority, so any individual factors that have the potential to be a threat must be recognized and dealt with seriously by all relevant parties.

## Technology Factor

Advances in information and communication technology have had a significant impact on human life, both in positive and negative aspects. On the positive side, technology facilitates access to information, communication, and entertainment. But on the downside, especially for children, technological developments are opening up space for various forms of cybercrime, including sexual abuse of minors. This phenomenon is increasingly worrying, considering that children are a vulnerable group who do not have a comprehensive understanding of the hidden risks in cyberspace.

## CONCLUSION

Based on the results of this study, it can be concluded that the Police in Gorontalo City has shown commitment in handling cases of sexual abuse against minors through various strategic steps. These measures include strict law enforcement against perpetrators, including the arrest and detention of suspects, as well as the provision of disciplinary sanctions to officials involved in similar criminal acts. For example, Brigadier YS, a police officer who was proven to have sexually abused three children, has been dishonorably dismissed. In addition, the police are also active in providing psychological assistance to victims through cooperation with various parties, including the Gorontalo Correctional Center (Bapas). This step aims to ensure the emotional and mental recovery of victims optimally.

However, in an effort to prevent it, the role of the police still faces several obstacles. Socialization and legal counseling carried out tend to be limited to children, while education to the general public, including parents, is still not optimal. Other obstacles include limited human resources, facilities and infrastructure, as well as low legal awareness of the community.

In the investigation process, the police have made efforts in accordance with the applicable legal provisions. However, challenges remain, such as difficulties in obtaining information from victims who are still children, lack of witnesses willing to give evidence, and limitations in forensic facilities. Overall, although the police in Gorontalo City have made various efforts in handling cases of sexual abuse against minors, there is still a need for improvement in prevention and education to the community to create a safer environment for children.

## SUGGESTION

The government needs to ensure that all law enforcement officials understand and apply the principles of child protection to the maximum. Law enforcement must be carried out firmly, transparently, and without compromise on the perpetrator, especially if the perpetrator comes from a powerful circle or has a high social position.

The public needs to be equipped with knowledge about sexual violence against children, how to recognize the signs, and safe reporting procedures. Healthy sexuality and moral values education from an early age must also be part of the education and family education curriculum.

The government and social institutions must provide free and child-friendly psychological, legal, and social assistance services for victims of sexual abuse. The victim recovery process must be a top priority in the juvenile criminal justice system.

The family and the surrounding environment have an important role in preventing sexual violence. The culture of silence and taboos in talking about sexual issues must be replaced with a culture of openness, empathy, and the courage to report.

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