

Abstrak

Dalam 10 tahun terakhir kejahatan berbasis seksualitas, terutama menasar anak-anak sebagai korbannya, jumlahnya sangat mengerikan. Di Jawa Tengah, khususnya di Kota Semarang, tindak pidana kekerasan seksual terhadap anak pun sangat mencemaskan. Sebagaimana Kota Semarang, di kota-kota lain peristiwa tragis ini angkanya juga tinggi. Oleh sebab itu, penelitian ini bertujuan mencari jalan bagaimana kita melindungi dan memberikan rehabilitasi terhadap anak korban kekerasan seksual.

Adapun metode penelitian ini adalah menggunakan metode Yuridis Sosiologis yang lebih menekankan pada kajian kasus kekerasan seksual pada anak dan wawancara terhadap Aparat Penegak Hukum, para Pendamping korban dan para advokat yang berkonsentrasi pada persoalan tragis di atas. Selain, tentu saja dengan pendekatan yuridis empiris dan kepustakaan.

Berdasarkan hasil penelitian ditemukan, bahwa terhadap anak korban kekerasan seksual, Negara melalui peraturan perundang-undangan dan aparaturnya telah memberikan keadilan. Yakni, terhadap pelaku telah dihukum secara maksimal. Meski, harus dicatat, bahwa terhadap anak korban kejahatan seksual, Negara belum memikirkan perlindungan dan rehabilitasi lanjut sesudah proses hukum dilaksanakan. Artinya, mustahilkah Negara pun memikirkan ganti rugi bagi anak korban kekerasan seksual? Penulis menyarankan Negara melakukan itu. Dan pelaku, selain dihukum pidana penjara dan denda yang selama ini masuk ke kas Negara, juga didenda untuk membayar ganti rugi bagi anak korban.

Kata kunci: anak korban, kejahatan seksual, pidana denda.

Abstrack

In the last 10 years of sexuality-based crimes, especially targeting children as victims, the numbers are terrible. In Central Java, especially in Semarang City, the crime of sexual violence against children is also very worrying. As in the city of Semarang, in other cities this tragic incident is also high. Therefore, this study aims to find ways how we protect and provide rehabilitation of child victims of sexual violence.

The method of this research is using Socio- Legal Research that emphasizes on the study of sexual violence cases in children and interviews with Law Enforcement Officials, Victim Assistants and advocates who concentrate on the tragic issues mentioned above. In addition, of course with empirical juridical and literary approaches.

Based on the results of the study found, that the child victims of sexual violence, the State through legislation and its apparatus has given justice. That is, against the perpetrator has been punished maximally. It should be noted, however, that against child victims of sexual crimes, the State has not considered further protection and rehabilitation after the legal process has taken place. That is, it is impossible for the State to think about compensation for child victims of sexual violence? The author suggests the State do that. And the perpetrator, in addition to being sentenced to imprisonment and fines that have been entered into the State treasury, are also fined to pay compensation for the victim's child.

Keywords: child victim, sexual crime, penalty of fine.