Legal Protection for Children as Victims of Domestic Violence

by Ismaidar Ismaidar
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ABSTRACT

Domestic violence often occurs in human life. The forms of violence experienced by victims vary, both in the economic, social and educational fields. The formulation of the problem is how to protect children as victims of law (domestic violence). Victims who experience domestic violence are generally women and children. In this case, the government provides health facilities and efforts for children who have experienced violence in order to relieve the trauma experienced. This can be too contained in Law no. 23 of 2002 concerning Child Protection which has stipulated criminal sanctions, within the form of detention or with. Which is for the good thing about the child. Legitimate security for children as casualties of residential viciousness is the assurance given, counting: providing legal help; privacy of the victim's personality; capture the culprit with preparatory prove; giving other help within the shape of wellbeing administrations; recovery endeavors. The reason of this investigate is to discover out legal assurance for children as casualties (Household Savagery (KDRT) and lawful cures against children as victims of Domestic Violence (KDRT). This research uses descriptive analytical research method, the approach used is normative juridical. The approach method used in this research is the statutory approach.

Keywords: Legal Protection, Children, Victims, Violence

PRELIMINARY

Children are a command and blessing from God, All-powerful, who has characteristic respect and worth as a entirety human being. Children are moreover the following era of the nation's beliefs and human resources for future national development. Protection of victims in the criminal justice process is certainly inseparable from the protection of victims according to the applicable positive law. In positive law in Indonesia, victim protection is more of an abstract or indirect protection. Criminal responsibility for the perpetrator is not directly and concretely responsible for the loss or suffering of the victim, but is focused on personal (individual) responsibility.\(^1\) Child protection has basically been regulated in Law No. 35 of 2014 concerning Child Protection.

The protection of a child against the law and the elimination of crime and violence in a household are very interesting problems to study and research because children are the potential and successors of the nation's cadres which have basically been placed by the previous generation. In addition, so that all children can bear these responsibilities. So they

\(^1\) Bara Nawawi Arief, 1998, Beberapa Aspek Kebijakan Penegakan Dan Pengembangan Hukum Pidana, Citra Aditya Bakti, Bandung, hlm 56
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