ABSTRAK

Amalia Fakhrana Suhandy, Pertanggungjawaban Pidana Anak Pelaku Kekerasan Seksual Dihubungkan dengan Undang-Undang Sistem Peradilan Pidana Anak di Lembaga Pembinaan Khusus Anak Kota Bandung.

Penelitian ini dilatarbelakangi oleh pentingnya penerapan pertanggungjawaban pidana terhadap anak pelaku kekerasan seksual yang tetap memperhatikan hak-hak anak dan prinsip perlindungan anak sebagaimana diatur dalam Undang-Undang Nomor 11 Tahun 2012 tentang Sistem Peradilan Pidana Anak (UU SPPA). Dalam pelaksanaannya, pertanggungjawaban pidana terhadap anak tidak hanya berkaitan dengan penjatuhan sanksi, tetapi juga mencakup pembinaan, rehabilitasi, dan reintegrasi sosial. Oleh karena itu, penelitian ini berfokus pada pertanggungjawaban pidana anak pelaku kekerasan seksual, kendala yang dihadapi dalam pelaksanaannya, serta upaya untuk mengatasi kendala tersebut di LPKA Kelas I Bandung.

Penelitian ini bertujuan untuk mengetahui dan menganalisis pertanggungjawaban pidana terhadap anak pelaku kekerasan seksual berdasarkan UU SPPA, mengidentifikasi kendala yang dihadapi, serta mengkaji upaya hukum untuk mengatasi kendala tersebut. Metode penelitian yang digunakan adalah metode yuridis empiris dengan pendekatan kualitatif. Data penelitian diperoleh melalui studi kepustakaan, observasi, dan wawancara, kemudian dianalisis secara kualitatif dengan menghubungkan ketentuan peraturan perundang-undangan dengan fakta yang ditemukan di lapangan.

Hasil penelitian menunjukkan bahwa pertanggungjawaban pidana terhadap anak pelaku kekerasan seksual dilaksanakan melalui penjatuhan sanksi sesuai dengan ketentuan hukum yang berlaku serta pembinaan di dalam lembaga. Pembinaan di LPKA Kelas I Bandung mencakup kegiatan pendidikan, keagamaan, keterampilan, olahraga, dan pendampingan umum. Namun, pelaksanaannya masih menghadapi kendala berupa belum tersedianya program rehabilitasi psikologis dan psikoseksual yang terstruktur dan khusus bagi anak pelaku kekerasan seksual, keterbatasan tenaga profesional, serta belum optimalnya asesmen berdasarkan kebutuhan individual anak. Kondisi tersebut menunjukkan bahwa pembinaan yang diberikan masih perlu dikembangkan agar dapat menjangkau aspek psikologis dan perilaku anak secara lebih menyeluruh.

Upaya untuk mengatasi kendala tersebut dilakukan melalui pembinaan individual, asesmen berkala, koordinasi dengan Balai Pemasyarakatan (BAPAS), serta pelibatan keluarga dalam proses pembinaan anak. Selain itu, diperlukan penguatan kebijakan melalui penyediaan program rehabilitasi psikologis dan psikoseksual yang sesuai dengan usia serta kebutuhan anak, peningkatan jumlah dan kompetensi tenaga profesional, dan penyusunan indikator keberhasilan pembinaan yang terukur. Dengan demikian, pertanggungjawaban pidana terhadap anak pelaku kekerasan seksual perlu dilaksanakan secara proporsional dengan tetap memperhatikan kepastian hukum, perlindungan hak anak, pemulihan perilaku, pencegahan pengulangan tindak pidana, dan reintegrasi sosial.

ABSTRACT

Amalia Fakhrana Suhandy, *Criminal Responsibility of Children as Perpetrators of Sexual Violence in Relation to the Juvenile Criminal Justice System Law at Lembaga Pendidikan Khusus Anak Bandung.*

This research is motivated by the importance of implementing criminal responsibility for children who commit sexual violence while respecting children's rights and the principles of child protection as stipulated in Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law). In practice, criminal responsibility for children is not only related to the imposition of sanctions but also includes guidance, rehabilitation, and social reintegration. Therefore, this research focuses on the criminal responsibility of children who commit sexual violence, the obstacles encountered in its implementation, and the efforts to overcome these obstacles at the Class I Special Development Institution for Children (LPKA) in Bandung.

This research aims to identify and analyze the criminal responsibility of children who commit sexual violence under the SPPA Law, identify the obstacles encountered in its implementation, and examine legal efforts to overcome these obstacles. This research employs an empirical juridical method with a qualitative approach. The data were collected through literature studies, observations, and interviews, then analyzed qualitatively by relating the applicable laws and regulations to the facts found in the field.

The findings indicate that criminal responsibility for children who commit sexual violence is implemented through the imposition of sanctions in accordance with applicable legal provisions and guidance programs within the institution. The guidance programs at the Class I LPKA in Bandung include educational activities, religious programs, skills training, sports, and general assistance. However, their implementation still faces several obstacles, including the absence of structured and specialized psychological and psychosexual rehabilitation programs for children who commit sexual violence, limited professional personnel, and the lack of optimal assessments based on each child's individual needs. These conditions indicate that the existing guidance programs need further development to address children's psychological and behavioral aspects more comprehensively.

Efforts to overcome these obstacles include individualized guidance, periodic assessments, coordination with the Correctional Center (BAPAS), and family involvement in the children's rehabilitation process. Furthermore, policy improvements are needed through the provision of age-appropriate psychological and psychosexual rehabilitation programs tailored to children's needs, improvements in the number and competence of professional personnel, and the development of measurable indicators for evaluating the success of guidance programs. Therefore, criminal responsibility for children who commit sexual violence must be implemented proportionately while upholding legal certainty, protecting children's rights, promoting behavioral rehabilitation, preventing recidivism, and supporting social reintegration.