

LICS 2026

Topic: *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

Strengthening the Legal Protection of Vulnerable Children in Indonesia: A Multi-Sectoral Analysis of Law, Justice, and Education Systems

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Abstract. *The protection of vulnerable children in Indonesia continues to face significant challenges, particularly due to the rising cases of violence, exploitation, and the lack of integration among legal, juvenile justice, and education systems. Although Indonesia has enacted the Child Protection Law and various sectoral regulations, the implementation of child protection remains fragmented and insufficiently coordinated. This study aims to analyze the legal framework for child protection in Indonesia through a multi-sectoral approach encompassing the legal system, juvenile justice system, and education policies to strengthen protection for vulnerable children. This research employs a normative legal research method using statutory, conceptual, and comparative approaches to examine national legal instruments and international standards on child protection. The data are analyzed qualitatively, focusing on regulatory synchronization and policy implementation effectiveness. The findings indicate that regulatory fragmentation and weak institutional coordination hinder effective child protection, resulting in suboptimal prevention of violence and exploitation. Strengthening cross-sector policy integration, enhancing a child-centered juvenile justice system, and reinforcing the education system as a primary preventive mechanism are urgently needed. This study recommends comprehensive policy reform based on a child-rights approach to establish a more effective and sustainable protection system.*

Keywords: *Exploitation; Justice; Juvenile; Protection; Vulnerable.*

1. Introduction

Children are a vulnerable group possessing constitutional rights to protection, growth and development, education, and guaranteed well-being. Article 28B, Paragraph (2) of the 1945 Constitution affirms that every child has the right to survival, growth and development, as well as protection against violence and discrimination. This commitment is reinforced by Law Number 35 of 2014 concerning Child Protection and the ratification of the Convention on the

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Rights of the Child (CRC), which establishes the "best interests of the child" as the guiding principle for all policies and actions concerning children (Mansir, 2020).

Legal protection for vulnerable children in Indonesia continues to face significant challenges. Incidents of violence, economic and sexual exploitation, human trafficking, bullying, child marriage, and threats in the digital space demonstrate that children's rights are not yet optimally protected. UNICEF Indonesia emphasizes that children continue to experience various forms of violence within families, schools, and the digital realm, all of which impact their growth, development, and quality of life. This situation indicates that existing regulations have not been matched by effective implementation of protective measures.

Most previous studies have largely examined child protection from the isolated perspectives of criminal law, human rights, or the juvenile justice system. Research integrating legal, judicial, and educational systems into a single multisectoral approach remains relatively limited. Yet, the complexity of issues facing vulnerable children demands collaborative policies; child protection should not merely focus on law enforcement following a violation but also on prevention through education, family strengthening, and inter-agency coordination (Lekatompessy et al., 2025).

Based on the foregoing, this study aims to analyze how legal protection for vulnerable children in Indonesia can be strengthened through a multisectoral approach that integrates the legal, judicial, and educational systems. This approach is expected to yield more comprehensive recommendations for achieving child protection that is effective, sustainable, and oriented toward the best interests of the child.

2. Research Methods

This study employs a normative legal research method, focusing on the analysis of legal norms, principles, concepts, and statutory regulations governing child protection in Indonesia. This approach was selected because the study aims to examine the effectiveness of legal provisions and formulate ways to strengthen legal protection for vulnerable children through an analysis of the legal, judicial, and educational systems. The approaches employed include the statute approach, the conceptual approach, and the comparative approach. The statute approach is used to analyze various regulations concerning child protection, including the 1945 Constitution of the Republic of Indonesia, Law Number 35 of 2014 on Child Protection, Law Number 11 of 2012 on the Juvenile Criminal Justice System, Law Number 12 of 2022 on Sexual Violence Crimes, and Law Number 20 of 2003 on the National Education System, as well as international instruments such as the Convention on the Rights of the Child (CRC). The conceptual approach is utilized to analyze theories regarding legal protection, human rights, the best interests of the child, and the multisectoral approach to child protection. Meanwhile, the comparative approach

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is used to compare child protection practices in Indonesia with international principles and best practices from other relevant countries (Maulana et al., 2025). The legal materials utilized consist of primary legal materials namely legislation and international legal instruments; secondary legal materials comprising books, scholarly journal articles, research findings, and policy documents; and tertiary legal materials such as legal dictionaries, encyclopedias, and other reference sources supporting the analysis. Data collection was conducted through library research by examining literature relevant to the research focus.

3. Result and Discussion

3.1. Portrait of Vulnerable Children in Indonesia: Current Issues and Challenges

Child protection serves as a key indicator of a state's success in ensuring respect for human rights. As a vulnerable group, children possess characteristics distinct from those of adults, thereby necessitating specific legal protections. This vulnerability stems not only from a child's age and dependence on adults but is also influenced by social, economic, and cultural factors, as well as increasingly complex technological developments. Consequently, child protection must be understood as an endeavor comprising preventive, repressive, and rehabilitative measures, implemented through the integrated involvement of various sectors (Junita et al., 2025).

In the Indonesian legal system, the concept of "vulnerable children" derives its normative basis from Law Number 35 of 2014 concerning Child Protection. This law mandates that the state provide special protection to children in specific circumstances such as victims of violence, children in conflict with the law, children with disabilities, victims of human trafficking, victims of sexual or economic exploitation, victims of narcotics abuse, and children in emergency situations. These provisions demonstrate that a child's vulnerability is determined not only by age but also by conditions that render their rights more susceptible to violation compared to other segments of society.

Social developments in recent years indicate that the forms of vulnerability facing children are becoming increasingly diverse. Beyond the long-standing concerns of physical and psychological abuse, new threats have emerged ranging from cyberbullying, online child sexual exploitation, and the dissemination of pornographic content to digital fraud and the misuse of artificial intelligence technologies that can compromise children's privacy and safety. These shifting patterns of crime necessitate a more adaptive legal protection system, as conventional approaches are no longer sufficient to address the challenges of child protection in the digital age.

Ultimately, the issue of child protection relates not only to weaknesses in legal substance but also to the effectiveness of legal structures and legal culture. From the perspective of Lawrence

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M. Friedman's legal system theory, successful law enforcement is heavily influenced by the integration of legal substance, legal structure, and legal culture. If any of these components fail to function optimally, achieving the goal of legal protection for children becomes difficult. Therefore, strengthening legal protection for vulnerable children requires a multisectoral approach that integrates the legal system, the judicial system, the education system, the family, and the community, alongside the use of technology as part of a sustainable child protection strategy. This approach is crucial because child protection is not solely the responsibility of law enforcement officials but a shared responsibility of all elements of the nation.

3.2. Analysis of the Legal System regarding the Protection of Vulnerable Children

Legal protection for vulnerable children is a manifestation of the state's obligation to ensure respect for, protection of, and the fulfillment of human rights. From the perspective of the rule of law (**rechtsstaat**), the legal system serves not only as an instrument of social control but also as a means to guarantee justice and provide protection to vulnerable segments of society, including children. Therefore, the effectiveness of child protection is determined not merely by the volume of legislation enacted, but also by the legal system's capacity to implement these norms consistently and equitably (Kurniasih & Fakhlur, 2023).

From a normative standpoint, Indonesia possesses a sufficiently comprehensive legal framework for child protection. Constitutional guarantees are provided through Article 28B, Paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which affirms that every child has the right to survival, growth, and development, as well as the right to protection against violence and discrimination. This constitutional mandate is further elaborated in various regulations, including Law Number 35 of 2014 concerning Child Protection, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Law Number 12 of 2022 concerning Sexual Violence Crimes, Law Number 39 of 1999 concerning Human Rights, and Law Number 20 of 2003 concerning the National Education System. The existence of these regulations demonstrates that, in terms of legal substance, Indonesia possesses relatively adequate legal instruments to ensure child protection.

Regarding the substance of the law, challenges persist due to regulations being scattered across various sectoral rules, often resulting in suboptimal coordination during implementation. Child protection is addressed not only in the Child Protection Law but also in regulations concerning education, health, social welfare, sexual violence, human trafficking, and the juvenile criminal justice system. This regulatory fragmentation necessitates policy harmonization to ensure that all institutions share a common understanding and consistent working mechanisms for protecting vulnerable children.

In terms of legal structure, child protection involves various institutions, including the

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Indonesian National Police, the Attorney General's Office, the Supreme Court (through the judiciary), the Ministry of Women's Empowerment and Child Protection, the Ministry of Social Affairs, the Ministry of Education, local governments, the Witness and Victim Protection Agency (LPSK), the Indonesian Child Protection Commission (KPAI), and various community service organizations. The involvement of numerous institutions with authority indicates that child protection requires a collaborative governance approach. However, inter-agency coordination has not always been effective. Disparities in standard operating procedures, limited human resources, and the uneven distribution of child protection services across regions result in inconsistent quality regarding the legal protection received by children.

Beyond legal substance and structure, legal culture presents a challenge of equal importance. Socially, the notion persists that violence against children is merely a form of discipline or a private family matter, thereby obviating the need for law enforcement involvement. Such a culture leads to the underreporting of violence, victims' reluctance to seek help, and a lack of public sensitivity regarding violations of children's rights. Furthermore, low levels of legal literacy among the public result in the suboptimal use of state-provided legal protection mechanisms.

Advancements in information technology have increasingly expanded the forms of vulnerability faced by children. Children are exposed not only to threats of physical violence but also to various forms of technology-facilitated violence such as cyberbullying, online sexual exploitation, the misuse of personal data, and the dissemination of digital content harmful to their psychological development. These phenomena demonstrate the need for legal systems to adapt to technological progress through regulatory updates, capacity building for law enforcement officials, and the enhancement of public digital literacy, ensuring that legal protections remain relevant to contemporary social dynamics.

Based on the foregoing, it is evident that the primary challenge regarding child protection in Indonesia lies not in a legal vacuum, but rather in the effectiveness of the legal system in implementing existing norms. Therefore, efforts to strengthen legal protection must focus on harmonizing regulations, enhancing inter-agency coordination, building the capacity of law enforcement officials, and fostering a legal culture that prioritizes the best interests of the child as a guiding principle in every policy and action. In this way, the legal system will function not merely as an instrument for enforcement following a violation, but also as a preventive mechanism capable of creating a safe, inclusive, and just environment for all Indonesian children.

3.3. Effectiveness of the Justice System in Protecting Vulnerable Children

The effectiveness of the justice system in protecting vulnerable children is one of the main

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indicators of a country's success in ensuring the fulfillment of children's rights as mandated by the constitution, human rights instruments, and various laws and regulations. Vulnerable children are a group of children who are at higher risk of experiencing rights violations, violence, discrimination, exploitation, neglect, or inhumane treatment due to their social, economic, cultural, health, or legal status. Therefore, the justice system is required not only to enforce the law formally, but also to be able to provide comprehensive protection, oriented towards the best interests of the child.

In Indonesia, the protection of vulnerable children has a strong legal basis through the 1945 Constitution of the Republic of Indonesia, Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA). In addition, Indonesia has also ratified the Convention on the Rights of the Child (CRC) through Presidential Decree Number 36 of 1990, which requires the state to provide effective legal protection to all children without discrimination.

The effectiveness of a justice system is measured not only by the number of cases processed, but also by the extent to which it delivers substantive justice, ensures victim recovery, and prevents re-victimization of children. From a modern legal perspective, the success of a justice system is measured by the ability of law enforcement agencies to provide swift, fair, accessible protection that is sensitive to children's psychological and social needs.

According to Lawrence M. Friedman's legal system theory, the effectiveness of a legal system is influenced by three main components: legal structure, legal substance, and legal culture. These three components are interrelated in determining the success or failure of protecting vulnerable children (Friedman, 1975).

From the perspective of Lawrence M. Friedman's Legal System Theory, the effectiveness of protecting vulnerable children cannot be said to be optimal even though Indonesia has relatively comprehensive regulations. The main weaknesses lie in the legal structure, which is uneven in quality and capacity, as well as a legal culture that is still influenced by social stigma and low awareness of children's rights. Meanwhile, from a legal substance perspective, the challenges lie more in implementation than in the lack of norms. Therefore, increasing the effectiveness of the justice system requires holistic reform through institutional strengthening, regulatory harmonization, increased professionalism of officers, and the establishment of a legal culture oriented towards the best interests of children. Thus, the justice system becomes not only an instrument of law enforcement, but also a means of protection and reparation that ensures the realization of substantive justice for every vulnerable child.

3.4. The Role of the Education System in Preventing Child Vulnerability

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The education system plays a strategic role in preventing child vulnerability, as schools are the second social environment after the family, with which children interact directly for extended periods. Education serves not only as a means of transferring knowledge but also as an instrument for character building, protecting children's rights, developing life skills, and providing early detection of various forms of vulnerability experienced by children. Within the context of a state governed by the rule of law and a welfare state, the education system is an integral part of the child protection system, which aims to create a safe, inclusive learning environment free from all forms of violence, discrimination, exploitation, and neglect (Hadjon, 1987).

Education holds a very strategic position because schools are the second social environment after the family, interacting intensively with children during their growth and development. Through the educational process, children acquire knowledge, skills, and values that shape their ability to recognize various forms of threats to themselves. Education also develops critical thinking, self-control, communication, and the ability to resolve conflicts peacefully. These abilities serve as protective factors that can increase children's resilience when facing social pressures and various forms of rights violations. Thus, education not only produces academically intelligent individuals but also shapes individuals who are aware of their rights and obligations as citizens and are able to protect themselves from various forms of vulnerability.

In the context of child protection, the education system also serves as an early detection mechanism for various forms of violence and violations of children's rights. Teachers and education personnel interact with students daily, thus having a significant opportunity to identify changes in behavior, emotional states, and physical signs that indicate violence, exploitation, neglect, or other social problems. Changes in academic achievement, repeated absences, excessive fear, decreased self-confidence, and psychological disorders are often early indicators that a child is experiencing a vulnerable condition. Therefore, the education system must be able to establish a protection mechanism that allows teachers to conduct early identification, provide initial support, and coordinate with families and relevant institutions to ensure children receive timely and appropriate protection.

In addition to serving as a learning tool, the education system also plays a role in fostering a culture that respects human dignity and rejects all forms of violence against children. A safe, inclusive, and discrimination-free school environment provides a space for children to develop optimally without fear or psychological pressure. Such a school culture strengthens children's self-confidence, increases their participation in the learning process, and encourages healthy relationships between students, teachers, and parents. Research on the implementation of child protection in schools shows that a positive school climate significantly reduces aggressive behavior, bullying, and various forms of violence in the educational environment (Priyambudi

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et al., 2023).

From the perspective of Lawrence M. Friedman's Legal System Theory, the education system plays a crucial role in building effective child protection through the formation of a legal culture. Education is the primary medium for instilling legal awareness, respect for human rights, and values of justice from an early age. The greater the public's legal awareness fostered through education, the less likely it is that various forms of violence and violations against children will occur. Therefore, the education system functions not only as a facilitator of the teaching and learning process but also as a strategic instrument in building a society that cares about child protection. Therefore, strengthening the education system should be viewed as a long-term investment in achieving sustainable child protection, as education is the most effective form of prevention compared to dealing with child rights violations after they occur.

3.5. Strengthening Legal Protection through a Multisectoral Approach

Legal protection for vulnerable children cannot, in essence, be the sole responsibility of law enforcement officials or judicial institutions. The complexity of the problems faced by children, such as physical and sexual violence, economic exploitation, human trafficking, neglect, bullying, drug abuse, child marriage, and cybercrime, demonstrates that children's vulnerability is influenced by various interrelated factors, including family, educational, social, economic, cultural, and environmental factors. Therefore, legal protection for children must be developed through a multisectoral approach, one that involves various sectors in an integrated manner in prevention, treatment, recovery, and empowerment efforts. This approach positions child protection as a shared responsibility between the state, society, families, the educational sector, health institutions, social institutions, and law enforcement officials (Laia, 2025).

The multisectoral approach is based on the understanding that legal protection is not only defined as enforcing laws and regulations after a violation occurs, but also encompasses preventive measures aimed at eliminating factors that contribute to children's vulnerability. In this context, the law serves as an instrument that integrates various public policies so that each institution carries out its role synergistically. This aligns with the principles of the integrated child protection system developed by UNICEF, namely a child protection system that connects the legal, education, health, social welfare, and community sectors in a single, mutually supportive mechanism. Research shows that an integrated approach to child protection can increase the effectiveness of preventing violence against children compared to sectoral and separate approaches (Fitriani, 2016).

Within this framework, the government has primary responsibility as both a policymaker and an organizer of the child protection system. The government is obligated to formulate regulations that provide legal certainty, build effective institutions, provide adequate budgets, and develop

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cross-sectoral coordination in the implementation of child protection. In Indonesia, this responsibility is realized through various regulations, such as Law Number 35 of 2014 concerning Child Protection, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Law Number 12 of 2022 concerning Crimes of Sexual Violence, and various technical policies involving relevant ministries and institutions. However, various studies indicate that the implementation of these policies still faces obstacles in the form of weak inter-institutional coordination, differences in authority, limited human resources, and a lack of integration of the child protection information system.

Furthermore, society also has a responsibility to create a safe social environment for children. Legal protection will not be effective if society still considers violence against children a private matter that does not need to be reported. A culture of silence often results in various forms of violence against children going unreported, thus depriving victims of the opportunity to obtain legal protection. Therefore, a multisectoral approach must be accompanied by increased public awareness through legal education, child protection campaigns, and strengthening community-based reporting mechanisms. The involvement of community organizations, religious leaders, traditional leaders, non-governmental organizations, and the mass media is crucial in building a culture that respects children's rights and rejects all forms of violence and discrimination (Olisanda, 2021).

From a law enforcement perspective, a multisectoral approach demands effective coordination between the police, prosecutors, courts, Correctional Institutions (Bapas), the Witness and Victim Protection Agency (LPSK), the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA), and professional social workers. Handling child cases is not sufficient through formal legal processes; it must also consider the psychological, social, educational, and rehabilitation aspects of the victims. Therefore, each institution must carry out complementary functions so that the child protection process takes place comprehensively, starting from the prevention stage, handling, rehabilitation, and social reintegration. Such an approach is in line with the principle of the best interests of the child, which is the main foundation of the Convention on the Rights of the Child (Saraswati, 2020).

4. Conclusion

Legal protection for vulnerable children in Indonesia requires an approach that focuses not only on the formulation of regulations but also on effective implementation through synergy between the legal system, the judicial system, and the education system. While various regulations have provided a strong foundation, their implementation still faces challenges such as weak inter-institutional coordination, limited resources, and a suboptimal legal culture that supports the best interests of children. Therefore, strengthening legal protection must be carried out through a multisectoral approach involving the government, law enforcement

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officials, educational institutions, families, communities, and social and health institutions. This synergy is expected to create a more effective, preventative, responsive, and sustainable child protection system, ensuring that the rights of vulnerable children are optimally protected in accordance with the principle of the best interests of the child.

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