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

Evaluation of Trauma Recovery Standard Operating Procedures for Child Trafficking Victims Based on the Principles of Dignified Justice

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Abstract. *The Crime of Human Trafficking (TPPO) targeting children is one of the most heinous crimes against humanity, diametrically opposed to the noble values of Pancasila and the constitutional mandate regarding child protection as stipulated in Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia. This exploitative crime not only deprives children of their physical freedom but also leaves profound psychological trauma that can permanently damage the architecture of their future. Although the state has responded to the urgency of this protection by establishing various Standard Operating Procedures (SOPs) for rehabilitation and recovery, implementation in practice reveals a sharp disconnect between formal texts and the actual emotional needs of victims. Handling procedures that tend to be rigid, highly bureaucratic, and uniform (one size fits all) often fail to recognize the dynamics and severity of children's trauma. As a result, the state's good intentions in providing protection may instead trigger structural revictimization, causing children to feel intimidated and exploited once again through repeated recollection of their experiences merely for administrative completeness. This research employs a normative legal research method focusing on statutory and conceptual approaches. The study critically examines the effectiveness of the Child Protection Law, the Human Trafficking Law, and their implementing regulations by utilizing the theory of Dignified Justice as its primary analytical framework. The findings recommend the urgent need for a comprehensive reconstruction of the assistance and trauma recovery model for child victims of human trafficking, shifting radically from an institutional formality paradigm to a Trauma-Informed Care paradigm. This reconstruction requires all parties involved in child protection to implement procedural flexibility within legal processes to ensure the victim's psychological safety without compromise. Furthermore, future protection models should reduce reliance on closed rehabilitation institutions and prioritize family-based care, where rehabilitation centers function only as temporary crisis-transit facilities. Through multidisciplinary and cross-sectoral synergy inspired by the noble values of Pancasila, the state can ultimately demonstrate its presence in a real and*

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dignified manner—not merely by rescuing children from trafficking syndicates but also by healing their souls completely so they may face the future with freedom and hope.

Keywords: *Justice; Legal; Protection; Recovery; Trauma.*

1. Introduction

Pancasila and the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) constitute the philosophical and constitutional foundations that explicitly mandate protection for all Indonesian people while upholding the values of just and civilized humanity and realizing social justice for all citizens. Within this highest constitutional framework, the existence of children is recognized in a special and privileged manner. This is clearly stipulated in Article 28B paragraph (2) of the 1945 Constitution, which guarantees every child the right to survival, growth, and development, as well as protection from all forms of violence and discrimination. This noble constitutional aspiration positions the state as the primary guardian (*parens patriae*), bearing an absolute obligation to ensure that every child in Indonesia not only survives physically but also enjoys protection of their dignity and future against all threats that may deprive them of their fundamental human rights.

However, these noble constitutional ideals often clash harshly with the empirical realities of crime in society. Child trafficking is one of the most atrocious human rights violations and cannot be tolerated in modern civilization, as it openly betrays the mandate of the 1945 Constitution. Children who should grow up in loving families, receive proper education for their future, and enjoy safe spaces for cognitive development are instead forcibly drawn into brutal exploitation. This crime reduces children who should be legal subjects and the nation's future generation into mere economic commodities that can be bought and sold to satisfy the greed of irresponsible individuals, thereby tarnishing the humanitarian values upheld by the nation.

In carrying out their illicit practices, human trafficking syndicates often operate in organized networks, crossing regional and national borders while exploiting structural vulnerabilities such as poverty and lack of awareness. They employ various methods, including manipulation, false promises of employment, physical violence, and threats to separate children from their families. Once removed from their primary protectors, these children are isolated and forced into modern forms of slavery. Some are compelled to work in the informal sector without pay, used as beggars on the streets, or subjected to the most degrading form of exploitation commercial

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sexual exploitation. This chain of suffering traps children in a cycle of abuse that destroys their freedom and autonomy from a very young age.

The impact of such exploitation extends far beyond visible physical injuries, leaving severe, layered, and profound psychological trauma. Trauma experienced by child victims of human trafficking can permanently damage psychological development, erode self-confidence, and distort the way they perceive the world and the adults around them. These emotional wounds manifest in post-traumatic stress disorder (PTSD), acute anxiety, severe depression, and even suicidal ideation. The scars create shadows of fear that may haunt their future for years and can even perpetuate cycles of violence if the trauma is not addressed promptly through appropriate, comprehensive, and effective methods.

In response to the urgency of victim protection and in fulfillment of constitutional mandates, the state through institutions such as the Ministry of Social Affairs, the Ministry of Women's Empowerment and Child Protection, and the police has formulated various Standard Operating Procedures (SOPs). These SOPs specifically regulate the mechanisms for rescue and trauma recovery for child victims of human trafficking. They serve as standard guidelines for social workers, psychologists, and law enforcement officers in providing emergency services, medical rehabilitation, psychosocial interventions, and social reintegration programs aimed at returning children to their families. Through these administrative instruments, the state seeks to ensure the fulfillment of post-rescue recovery rights.

Theoretically and textually, these government-issued SOP documents appear comprehensive, structured, and aligned with various international legal standards concerning children's rights. However, the reality (**das sein**) often reveals a wide gap between the beautifully written procedural texts (**das sollen**) and the actual suffering endured by child victims of exploitation. Recovery is frequently hindered by complex bureaucracy, a lack of psychological experts in remote areas, and insufficient Safe House facilities. More importantly, approaches applied in practice often lose their humanitarian essence because they are constrained by mere procedural formalities.

Many forms of assistance provided by state officials and social institutions feel cold, rigid, and focused solely on meeting administrative reporting targets. Children are often compelled to repeatedly recount their traumatic experiences merely to complete Police Investigation Reports (BAP) or institutional progress reports, without the emotional sensitivity and empathy necessary to heal a child's emotional wounds. This mechanical approach alienates victims from the sense of security they desperately seek. Consequently, fundamental questions arise regarding the

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quality, effectiveness, and depth of recovery processes currently implemented by authorities for children whose psychological well-being has already been severely damaged.

Are the existing SOPs and their implementation sufficiently “dignified” for the victims' humanity? Dignified Justice, a legal philosophy developed to critique purely formalistic and positivistic legal approaches, demands that every legal and social interaction must not treat individuals merely as material objects requiring technical repair. This theory emphasizes that human beings—especially children—must have their dignity upheld throughout every legal process. In cases of child trafficking, recovery is not merely about medically treating physical injuries or providing routine guidance in social rehabilitation centers so that the state can claim to have fulfilled its obligations.

Trauma recovery must be interpreted as a holistic transformative process that restores a sense of safety, rebuilds stolen self-confidence, and rekindles happiness in children as free legal subjects. Children must be viewed as individuals possessing autonomy and an absolute right to grow and develop in environments characterized by protection, affection, and respect for their human rights. Without internalizing the values of Dignified Justice, rehabilitation procedures become another form of revictimization, where children are rescued from trafficking syndicates only to have their souls remain isolated and trapped within an empathy-deficient rehabilitation bureaucracy.

Therefore, a critical and comprehensive evaluation of trauma recovery standards has become an urgent legal and social necessity. Deep reflection is required regarding the practices of social companions, law enforcement officers, and policymakers in handling victims, as well as consideration of how existing procedures can be reconstructed to become far more humane. This article is specifically prepared to examine these issues critically and comprehensively, with the hope of providing conceptual foundations and concrete recommendations for stakeholders to improve regulations sustainably. The primary focus of this evaluation is to ensure that every step within trauma recovery SOPs, no matter how small, is fully inspired by the noble humanitarian values of Pancasila, enabling trauma recovery processes to become a genuine bridge through which Indonesian children can reclaim their lost human rights and face the future with renewed hope.

2. Research Methods

This study employs a normative legal research method, namely a method that focuses on analyzing legal norms, principles, doctrines, and written legislation. The approaches used are the statutory approach, aimed at analyzing the synchronization of various positive laws related

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to child protection and victim rehabilitation Standard Operating Procedures (SOPs), and the conceptual approach, used to examine the principle of Dignified Justice as the primary parameter for measuring the success of trauma recovery for victims.

The data utilized in this study consist entirely of secondary data collected through library research.

1) Primary legal materials include:

- a) The 1945 Constitution of the Republic of Indonesia (UUD NRI 1945)
- b) Law Number 23 of 2002 concerning Child Protection, as amended several times, most recently by Law Number 17 of 2016
- c) Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking (TPPO)
- d) Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 on Witness and Victim Protection. Additionally, its implementing regulations were also examined.
- e) Government Regulation Number 7 of 2018 in conjunction with Government Regulation Number 35 of 2020 concerning Compensation, Restitution, and Assistance for Witnesses and Victims, as well as policy instruments from relevant ministries regarding social rehabilitation SOPs.

2) Secondary legal materials

consist of legal literature, scientific journals, previous research findings, and expert opinions (doctrines). All collected data were processed and analyzed descriptively and qualitatively, and conclusions were drawn deductively in order to produce systematic, in-depth, and applicable analyses for addressing the challenges of trauma recovery among child victims of human trafficking.

3. Results and Discussion

3.1. Disconnect Between Formal Procedures and Children's Psychological Needs

A critical evaluation of the current Standard Operating Procedures (SOPs) for trauma recovery reveals a deeply concerning disconnect between procedural texts and empirical realities in the field. There is a wide gap between what is idealized in written documents (*das sollen*) and the actual emotional and psychological needs of children (*das sein*). The bureaucracy involved in handling victims of exploitation often operates like a cold administrative machine, where case

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resolution is measured by how quickly reports and paperwork are completed rather than by how thoroughly the victims' emotional wounds are healed. This disconnect is rooted in a positivistic paradigm that continues to dominate protection institutions, viewing recovery merely as a series of linear stages that must be completed so that the state can fulfill its formal obligations.

In practice, the SOPs implemented by various relevant agencies often place excessive emphasis on meeting basic physical needs alone. When a child victim of human trafficking is rescued, the primary focus of state officials is usually directed toward providing adequate food, placement in temporary shelters or social institutions, and routine medical examinations to ensure that there are no contagious diseases or life-threatening physical injuries. Although the fulfillment of these basic rights is crucial during the emergency phase, reducing the meaning of recovery solely to physical aspects is a fatal misconception. Physical wounds may heal within weeks, but damage to a child's cognitive and emotional structure caused by exploitation requires far more complex interventions.

Genuine trauma recovery absolutely requires a more personal, continuous, and highly adaptive approach based on the severity of each individual's trauma. Every child possesses a different level of emotional resilience; a child exploited for forced labor may display trauma differently from a child trapped in commercial sexual exploitation. However, a fundamental weakness of existing SOPs is their tendency to apply uniform, one-size-fits-all approaches. These procedural documents assume that every child victim can be rehabilitated through the same social guidance methods, counseling schedules, and skills-training modules, as though they were standardized factory products.

This uniformity ignores the neuropsychological reality that early-life exploitation trauma literally alters the way a child's brain functions. Post-traumatic stress disorder (PTSD), acute anxiety, and the loss of basic trust in adults prevent children from easily adapting to the rigid routines of rehabilitation institutions. When institutions impose strict schedules and disciplinary rules similar to those of conventional boarding facilities, children may once again feel a loss of control over their lives a psychological condition resembling the circumstances under which they were controlled by human trafficking syndicates. Approaches that fail to recognize these dynamics can actually slow the healing process and cause children to withdraw further from social environments.

Even more concerning is the evident lack of preparedness among field personnel in handling complex manifestations of trauma. The limited number of clinical psychologists specializing in child trauma is often addressed by delegating support responsibilities to social workers or

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officials who have only received brief training. The inability of caregivers to recognize trauma triggers frequently leads to unintended actions that nevertheless wound the child's emotional well-being. Overly controlling attitudes, insufficient empathy, or interrogative communication styles often leave children feeling isolated in places that are supposed to serve as safe havens.

These conditions create a new form of bureaucratic revictimization. Children in extremely fragile mental states are often subtly intimidated by procedural demands. For example, for the purposes of case progress reports or synchronization with police investigation records, children may be required to repeatedly recount the details of the abuse they experienced. Requests to reconstruct traumatic memories are often made by different officers due to shift systems or personnel transfers. The absence of a consistent attachment figure causes children to feel unsafe and exploited once again, this time for administrative purposes.

Feelings of alienation and intimidation ultimately suppress children's initiative and freedom of expression. Rather than feeling protected, children may feel as though they are being punished for crimes they did not commit. They must comply with institutional rules, remain under strict supervision, and lose their freedom much like juvenile detainees, while traffickers may still be at large. This paradox of protection clearly demonstrates flaws in the legal and procedural framework. The law fails to address the victim's sense of justice because it is overly focused on formal legal structures.

Therefore, bridging the gap between formal procedures and genuine psychological needs is an absolute prerequisite if the state truly intends to implement the objectives of child protection. SOPs can no longer function as rigid texts directing officials to work like robots. Fundamental reforms are needed to incorporate psychological flexibility into every article and service standard. Only by recognizing the depth of children's emotional wounds and aligning bureaucratic processes with the pace of psychological healing can the state prevent children from falling into deeper forms of structural revictimization.

3.2. The Urgency of Integrating Humanitarian Values into Recovery SOPs

True trauma recovery can never be achieved without a strong philosophical foundation. In this context, integrating humanitarian values based on the principle of Dignified Justice (*Keadilan Bermartabat*) has become an undeniable necessity. The theory of Dignified Justice essentially requires that every legal procedure and state action be imbued with a conscious commitment to honoring human beings as creations of God. Law and bureaucratic procedures are created to serve humanity, not the other way around. Within a dignified operational framework, the spirit

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that must permeate every regulation is empathy, respect for human rights, and an absolute commitment to restoring victims' dignity to its highest level.

The implementation of these humanitarian values requires the elimination of victim commodification within bureaucracy. Under a dignified SOP, child victims of human trafficking must never be reduced to statistical figures or objects used merely to complete budget accountability reports. Children must be viewed as living individuals with painful pasts, confusing presents, and futures that deserve to be saved. When state officials adopt this humanitarian perspective, interventions are no longer measured by quantitative performance indicators but by qualitative outcomes reflected in the restoration of children's hope and well-being.

Integrating humanitarian values into daily practices within rehabilitation centers or safe houses means granting children the freedom to express themselves without coercion. Child victims of exploitation have long had their voices silenced by criminal syndicates; they were taught to fear, obey, and suppress their opinions. Rehabilitation procedures must therefore become the first democratic space where their voices are heard and validated. They should be given room to express anger, cry, refuse participation, or share their experiences according to their own psychological readiness, without administrative deadlines pressuring them to appear "healed."

Beyond freedom of expression, humanitarian integration also involves fulfilling the right to genuine education rather than artificial educational programs. Many rehabilitation institutions currently provide skills-training programs merely as formalities to occupy children's time or satisfy administrative obligations. Dignified recovery requires educational access tailored holistically to each child's interests, talents, and multiple intelligences. Education during recovery should function as cognitive therapy that restores children's confidence, breaks cycles of ignorance that once made them vulnerable to trafficking, and prepares them to compete successfully in the future.

Another urgent aspect concerns transforming the quality of human resources responsible for implementing these procedures. Integrating humanitarian values means that the state must ensure all social workers, caregivers, legal assistants, and psychologists possess both clinical competence and emotional intelligence. Support services can no longer rely solely on compassion without scientific knowledge of trauma, nor on technical expertise devoid of empathy. Regular competency evaluations must ensure that every individual working directly with children is fully committed to child-friendly protection principles.

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To accommodate these fundamental changes, SOPs must be legally revised in both form and function. They must evolve from rigid and authoritarian checklists into dynamic and flexible guidelines for care. These guidelines should provide professionals in the field with discretionary authority to deviate from certain administrative procedures when those procedures are clinically determined to endanger a child's psychological condition. Such flexibility is not an administrative violation but rather the highest form of legal compliance, reflecting the principle that the welfare of the people is the supreme law.

Within this new framework, children's psychological safety and comfort must become the highest standard governing all operational provisions. Every intervention whether room assignments, meal plans, therapeutic methods, or judicial processes should undergo an emotional safety assessment. The speed of legal and administrative procedures must no longer come at the expense of children's mental stability. Legal processes may proceed according to their own timelines, but psychological recovery must follow the pace of each child's readiness without coercive scheduling imposed by investigators.

The integration of humanitarian values into SOPs is not an optional act of state philanthropy; it is a constitutional obligation. The state previously failed to protect these children from human trafficking syndicates and must not repeat that failure during the recovery process. By embedding the principles of Dignified Justice into every aspect of child protection procedures, the law rediscovers its true essence. The state reemerges as a genuine parent figure that embraces, heals, and ensures that no Indonesian child's future is permanently damaged by victimization.

3.3. Reconstructing a Dignity-Centered Assistance Model

Given the complexity of existing procedural failures, superficial policy adjustments are no longer sufficient. The state must undertake a progressive step by completely reconstructing the assistance model for child victims of human trafficking. This reconstruction should be centered on the globally recognized paradigm of Trauma-Informed Care (TIC). TIC is not merely a medical technique but a framework for institutional cultural transformation that requires legal and protection systems to replace the question, "What is wrong with this child?" with the more empathetic question, "What has happened to this child."

Within this trauma-informed model, all actors in the justice and protection ecosystem including judges, prosecutors, police officers, psychologists, social workers, and safe-house personnel must possess comprehensive psychological literacy. They must thoroughly understand the long-term destructive impacts of severe trauma on brain development, emotional regulation, and

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children's behavior. This understanding is crucial to prevent officials from stigmatizing or disciplining children when they display resistance, tantrums, or aggressive behavior. Such behaviors should instead be interpreted clinically as self-protective mechanisms employed by children who still perceive themselves as living under the threat of exploitation.

The most substantial aspect of this legal and social reconstruction is the reassessment of the family's role in the healing process. Too often, the justice system automatically places children in government rehabilitation institutions without conducting adequate kinship assessments. A new assistance model should prioritize strengthening and involving biological parents or extended family members as the primary support system. However, such involvement must be conditional upon legal and investigative proof that the family environment is genuinely safe and has no affiliation with the trafficking network responsible for the child's exploitation.

If assessments indicate that the biological family environment constitutes a high-risk zone due to exploitative poverty or direct involvement in criminal networks, the system must provide dignified alternatives. However, such alternatives should not automatically involve long-term institutionalization. Instead, the reconstructed model encourages the state to develop and prioritize family-based care, including foster care systems. Victimology research demonstrates that children placed with psychologically trained foster families often experience significantly better trauma recovery outcomes than those who remain in rigid institutional settings.

Rehabilitation centers and safe houses should be redefined as temporary transitional facilities intended only for medical and psychological stabilization during crises. Keeping children in closed institutions for extended periods can produce institutional syndrome, in which children lose their ability to adapt to society and gradually lose personal autonomy. Restoring dignity means reintegrating children into normal social environments where they can build friendships, attend mainstream schools, and experience the warmth of consistent caregivers rather than rotating staff members.

This reconstruction model also aims to restore children's agency and authority over their own lives. Children must be involved in decision-making processes related to their recovery according to their age and cognitive maturity. Choices regarding meals, clothing, and even participation in court proceedings should be based on informed consent. Restoring the ability to make choices is the highest expression of dignity recovery because it is at this point that children once treated as commodities reclaim their existence as free human beings.

The implementation of this model requires multidisciplinary collaboration united by a common vision. Reconstruction cannot succeed if the Ministry of Social Affairs, the Police, and the

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Witness and Victim Protection Agency continue to operate in isolation and institutional rivalry. An integrated case-management system is required, enabling social workers, clinical psychologists, public advocates, and educators to jointly develop a comprehensive Individual Intervention Plan for each child. Such synergy ensures that no constitutional rights are neglected or duplicated throughout rescue efforts, judicial proceedings, and post-judgment recovery phases.

By prioritizing compassion, empathy, and psychological safety within every legal and social procedure, society is doing more than simply improving bureaucracy. It is not only healing wounds inflicted by perpetrators of crimes against humanity but also laying the foundation for the nation's future. The reconstruction of this assistance model represents a sacred promise by the state that children's dignity as legal subjects and complete human beings will always be protected, defended, and elevated throughout their healing journey. This is the highest achievement of a legal system founded upon justice and dignity.

4. Conclusion

The evaluation of trauma recovery SOPs for child trafficking victims reveals that procedural formalities alone are insufficient to heal profound emotional wounds. Dignified Justice teaches that recovery is not merely an administrative matter but a process of honoring human dignity that has been violated by crime. Therefore, a paradigm shift is required in every service standard, placing compassion, safety, and child-centered approaches above bureaucratic interests. By reconstructing procedures to become more flexible, sensitive, and humane, society can help child trafficking victims rise from the darkness of their past, heal from trauma, and reclaim their futures as whole and dignified individuals.

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