

## The Role of The Prosecutor in Prosecuting Criminal Acts of Sexual Abuse Against Children

Viva Hari Rustaman<sup>1)</sup> & Gunarto<sup>2)</sup>

<sup>1)</sup>Master of Notary Law, Faculty of Law, Sultan Agung Islamic University (UNISSULA) Semarang, Indonesia, E-mail: [vivaharirustaman.std@unissula.ac.id](mailto:vivaharirustaman.std@unissula.ac.id)

<sup>2)</sup>Master of Notary Law, Faculty of Law, Sultan Agung Islamic University (UNISSULA) Semarang, Indonesia, E-mail: [Gunarto@unissula.ac.id](mailto:Gunarto@unissula.ac.id)

**Abstract.** *The high number of cases of sexual harassment against minors is an important matter to be handled immediately, especially by the police as law enforcement officers, the prosecutor's office as law enforcement officers has various roles in criminal acts of sexual harassment against minors as in accordance with applicable laws and regulations. This study aims to determine, examine, and analyze the role of the Prosecutor's Office in prosecuting criminal acts of sexual harassment against minors at the Semarang District Prosecutor's Office, the obstacles and solutions of the Prosecutor's Office in prosecuting criminal acts of sexual harassment against minors at the Semarang District Prosecutor's Office, and the concept of the role of the Prosecutor's Office in prosecuting criminal acts of sexual harassment against minors in the Future. The approach method used in this study is sociological juridical. The specifications of this study are descriptive analytical. The data source used is primary data. While secondary data is obtained from literature study research consisting of primary legal materials, secondary legal materials, and testier legal materials. Based on the results of the study, it can be concluded that the role of the prosecutor's office in prosecuting criminal acts of sexual harassment against minors at the Semarang District Attorney's Office acts as a controller of the case process (Dominus litis) which also plays a role from the stage of receiving the transfer of case files from investigation to prosecution by considering aspects of child protection and justice based on the Criminal Procedure Code, Law Number 35 of 2014 concerning Child Protection, and Law Number 12 of 2012 concerning Criminal Acts of Sexual Violence. Obstacles and solutions for the prosecutor's office in prosecuting criminal acts of sexual harassment against minors at the Semarang District Attorney's Office, namely weak and inconsistent victim statements, lack of additional evidence, suboptimal coordination between law enforcement officers, social stigma and family intervention, lack of special prosecutors or special competence and solutions to overcome the obstacles experienced, namely by increasing the capacity and specialization of prosecutors, strengthening evidence through expert collaboration, encouraging a child-friendly trial system, utilizing the TPKS Law and child protection.*

**Keywords:** *Children; Prosecutor's Office; Role; Sexual Harassment Crimes.*

## 1. Introduction

Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia states that: "The Republic of Indonesia is a State of Law". A state based on law is characterized by the existence of several principles, including that all actions or deeds of a person, whether individual or group, the people or the government must be based on the provisions of law and existing laws and regulations that apply before an act is carried out.

The main purpose of law is to create an orderly social order, to create order and balance. Every relationship between communities must not conflict with the provisions in existing and applicable legal regulations.<sup>1</sup> Law is also a means to regulate society as a means of social control, so the law is tasked with ensuring that society can remain in the patterns of behavior accepted by it. The law is tasked with regulating society, which means that the presence of law in society is to integrate and coordinate interests in society, so that it is hoped that the interests of one and the other do not conflict with each other.

To achieve this state, this can be done by limiting and protecting these interests.

In addition to being a means of regulating society, Indonesia as a country of law is also obliged to provide legal protection in this case for the human rights of every Indonesian citizen because human rights are basic citizenship rights that are inherent in individuals since they were born by nature which are given directly by God Almighty which cannot be taken away or revoked and must be respected, upheld, and protected by the state, law, government, and every person.<sup>2</sup>

A concrete example of legal protection in Indonesia itself is legal protection of human rights as regulated in Article 28A to 28J of the 1945 Constitution of the Republic of Indonesia which explicitly states the various fundamental rights possessed by every citizen. So it is clear that real evidence of a state of law in this case Indonesia is the responsibility for protecting Human Rights for all Indonesian citizens without exception, including in this case children.

Children as the younger generation are the potential and successors of the ideals of the nation's struggle. Children are the capital of development that will maintain, defend, and develop the results of existing development. Therefore, children need protection in order to ensure physical, mental, and social growth and development in a complete, harmonious, and balanced manner. The laws and regulations are expected to be able to balance the various needs and interests of each person which are different and even conflicting and ultimately can create security and peace in society.

However, in reality, the order of life that has been regulated in various laws and regulations is still often violated, as evidenced by the many cases of criminal acts that occur, even though government officials have provided mental guidance to the community through various means, which are expected to be able to minimize the occurrence of legal violations in society.

---

<sup>1</sup> Yati Nurhayati, Introduction to Legal Science (Bandung: Nusa Media Publisher, 2020), pages 63-64.

<sup>2</sup> Eko Hidayat, Protection of Human Rights in the Indonesian Legal State, Media Neliti Journal, June 2016.

Master of Law, UNISSULA

Behavior that is not in accordance with norms or can be called a deviation from agreed norms turns out to disrupt the order and tranquility of human life. Such deviations, usually by society will be labeled as a violation or even a crime. Crime in community life is a social phenomenon that will always be faced by every human being, society, and even the state which in this case can hinder the implementation of national development.<sup>3</sup>

Crimes in this case such as violence often occur against children, which can be damaging and frightening. Children who are victims of violence certainly feel suffering such as losses that are not only material but also immaterial will affect the emotional and psychological life of the child in the future. Forms of violence against children in Indonesia itself can be acts of violence, both physical, psychological, and sexual.<sup>4</sup>

Based on data from the Online Information System for the Protection of Women and Children (Simfoni PPA), it was recorded that in the period from January to November 2023 there were 15,120 cases of violence against children with 12,158 female victims and 4,691 male victims, where cases of sexual violence ranked first in terms of the number of victims from 2019 to 2023.<sup>5</sup> So in this case it shows that the number of cases of violence against children as victims is still high.

In reality, in the criminal justice system, sometimes in its resolution, children as victims or even witnesses do not get the legal protection that is commensurate with what they have felt, namely the special protection that the government wants to give to children. Children as the next generation should be given protection from deviant behavior, such as criminal acts, crimes, violence and physical, mental and physical pressure, what if the child is a victim of a criminal act committed in the family environment. However, the importance and role of the child experience various problems. The complexity of children's problems is still continuous with the developing structure and system, which runs and is determined in an institution, government and even the state.

Currently, children who are victims of a crime, especially in this case sexual violence, really need legal protection in accordance with the provisions that have been utilized in the provisions of laws and regulations, although in reality, children who are victims still do not receive adequate legal protection efforts, such as children who are victims do not receive rehabilitation, even though in this context the victims really need it so that they feel safe, peaceful and comfortable.<sup>6</sup>

Deeper into the understanding of child protection, it is seen that it has been clearly regulated in Law Number 23 of 2002 concerning Child Protection which has been amended by Law Number 35 of 2014, where Article 1 number 2 provides the Limitation of child protection as child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination. The Child Protection

---

<sup>3</sup> Bambang Waluyo, *Crime and Criminalization* (Jakarta: Sinar Grafika, 2008), page 1.

<sup>4</sup> Trisha Aprillia, *Legal Protection for Children as Victims of Crime According to Indonesian Criminal Law*, *Jurnal Hukum Ilex Crimen* Vol V, No. 6, August 2016.

<sup>5</sup> <https://www.kemenpppa.go.id/page/view/NTAxNg==>

<sup>6</sup> Elly Septiani and Nurhafifah, *Legal Protection for Child Victims of Serious Abuse Perpetrated by Children*, *Syiah Kuava Law Journal*, Faculty of Law, Syah Kuala University, Vol 1, April 2020.

Master of Law, UNISSULA

Law emphasizes the need for increased criminal sanctions and fines for perpetrators of criminal acts, especially child victims. In addition, it encourages physical, psychological, and social recovery for child victims of criminal acts and gives responsibility to the state to jointly organize child protection.

Various issues related to child protection are also certainly present in the absence of justice in the criminal justice system for child victims of sexual violence to obtain a bright spot with the implementation of restitution. Restitution in the context of Law is compensation given to the victim or his/her family by the perpetrator of a crime or a third party. This certainly aims to replace the losses suffered and experienced by the victim due to the crime committed by the perpetrator.<sup>7</sup>

Several laws and regulations governing Restitution are Law Number 26 of 2000 concerning Human Rights Courts, Law Number 15 of 2003 concerning Terrorist Crimes, Law Number 13 of 2006 Juncto Law Number 31 of 2014 concerning the Witness and Victim Protection Agency (LPSK), Law Number 21 of 2007 concerning Human Trafficking, Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection and last amended by Law Number 17 of 2016 concerning Stipulation of Government Regulation in Lieu of Law Number 1 of 2016 concerning Second Amendment to Law Number 23 of 2002 concerning Child Protection and Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence.

As with the legal facts that occurred in the City of Semarang, according to violence data according to ASIKK PAK in the period from January 1, 2025 to April 14, 2025, there were 38 cases of violence/sexual harassment against children.<sup>8</sup>The Prosecutor's Office is also the only institution that implements criminal decisions (executive ambtenaar). In addition to playing a role in criminal cases, the Prosecutor's Office also has another role in Civil and State Administrative Law, namely being able to represent the Government in Civil and State Administrative Cases as the State Attorney. The Prosecutor as the executor of this authority is given the authority as a Public Prosecutor and to implement court decisions, and other authorities based on the Law, including his role in prosecuting criminal acts of sexual harassment against minors.<sup>9</sup>

Based on the background that has been described, it is an attraction for the author to study this matter in more depth by conducting research, for writing a thesis entitled "The Role of the Prosecutor's Office in Prosecuting Criminal Acts of Sexual Harassment Against Minors (Case Study at the Semarang District Attorney's Office)".

## **2. Research Methods**

The approach method in the research and preparation of this thesis is to use the sociological juridical method. Bambang Sunggono explained that empirical legal research is also known as non-doctrinal legal research because this research is in the form of empirical studies to

---

<sup>7</sup> <https://fahum.umsu.ac.id/restitution-of-the-concept-of-purpose-forms-and-scope/>

<sup>8</sup>GREAT SIR, <https://ppt-dp3a.semarangkota.go.id/>, accessed April 16, 2025.

<sup>9</sup>Attorney General of the Republic of Indonesia, <https://kejaksaan.go.id/about/info>, accessed on 16 April 2025.

Master of Law, UNISSULA

find theories regarding the process of occurrence and the process of how law works in society or what is also known as *Socio-Legal Research*.<sup>10</sup>

### 3. Results and Discussion

#### 3.1. The Role of the Prosecutor's Office in Prosecuting Criminal Acts of Sexual Harassment Against Minors at the Semarang District Attorney's Office

Based on the results of the study, it is known that in the jurisdiction of the Semarang District Attorney's Office, there has been a significant increase in cases of sexual harassment against minors in recent years. These cases are dominated by perpetrators who come from the victim's closest environment, such as family, neighbors, teachers, or acquaintances.

This phenomenon shows that children are still a vulnerable group that is not fully protected from the threat of sexual violence, even though there is a legal umbrella. Field data also shows that the number of case files submitted to the Semarang District Attorney's Office continues to increase every year, with the majority of victims being in the age range of 6-15 years.

Children are the young generation who will become the successors of the nation's struggle in the future. They are not only seen as individuals who are growing and developing, but also as strategic assets of the nation that must be optimally fostered, educated, and protected. In the context of national development, children have an important role because the quality of a nation's human resources is largely determined by how today's children are prepared. However, in reality, the order of life that has been regulated in various laws and regulations is still often violated, as evidenced by the many cases of criminal acts that occur, even though government officials have provided mental guidance to the community through various methods, which are expected to be able to minimize the occurrence of violations of the law in society.

Behavior that is not in accordance with norms or can be called a deviation from agreed norms turns out to disrupt the order and tranquility of human life. Such deviations, usually by society will be labeled as a violation or even a crime. Crime in community life is a social phenomenon that will always be faced by every human being, society, and even the state which in this case can hinder the implementation of national development.<sup>11</sup>

Crimes in this case such as violence or abuse often occur against children, which can be damaging and frightening. Children who are victims of violence certainly feel suffering such as losses that are not only material but also immaterial will affect the emotional and psychological life of the child in the future. Forms of violence against children in Indonesia itself can be in the form of acts of violence, both physical, psychological, and sexual.<sup>12</sup>

According to the report of the Ministry of Women's Empowerment and Child Protection (KemenPPPA), through SIMFONI PPA, there were 4,821 cases of violence against children recorded in Indonesia from January 1 to March 15, 2025. Of that number, 80.4% of victims

---

<sup>10</sup> Bambang Sunggono, *Legal Research Methods*, Jakarta: PT. Raja Grafindo Persada, 2007, Page 81.

<sup>11</sup> Bambang Waluyo, *Crime and Criminalization* (Jakarta: Sinar Grafika, 2008), page 1.

<sup>12</sup> Trisha Aprillia, *Legal Protection for Children as Victims of Crime According to Indonesian Criminal Law*, *Jurnal Hukum lex Crimen* Vol V, No. 6, August 2016.



Master of Law, UNISSULA

were women, and 62.6% of victims were children. The most dominant type of violence is sexual violence. With the province with the highest number of reports, namely East Java with 579 cases, Central Java with 439 cases, and West Java with 387 cases.<sup>13</sup>

The high number of cases of violence and abuse against minors shows that children have not fully received adequate legal and social protection. Although various regulations have been issued, in practice there are still many victims who do not receive assistance in justice, or proper recovery.<sup>14</sup>

In reality, in the criminal justice system, sometimes in its resolution, children as victims or even witnesses do not get the legal protection that is commensurate with what they have felt, namely the special protection that the government wants to give to children. Children as the next generation should be given protection from deviant behavior, such as criminal acts, crimes, violence and physical, mental and physical pressure, what if the child is a victim of a criminal act committed in the family environment. However, the importance and role of the child experience various problems. The complexity of children's problems is still continuous with the developing structure and system, which runs and is determined in an institution, government and even the state.

Currently, children who are victims of a crime, especially in this case sexual violence, really need legal protection in accordance with the provisions that have been utilized in the provisions of laws and regulations, although in reality, children who are victims still do not receive adequate legal protection efforts, such as children who are victims do not receive rehabilitation, even though in this context the victims really need it so that they feel safe, peaceful and comfortable.<sup>15</sup>

Based on the results of an interview with the Head of the General Crimes Section (Kasi Pidum) at the Semarang District Attorney's Office, Mr. Sarwanto, SH, MH, said that the high number of cases of sexual harassment against children in Semarang City was influenced by various factors, including:<sup>16</sup>

- 1) Lack of parental supervision, which in this case is a lack of attention and supervision from parents towards their children's activities, both in the home environment and outside the home, can increase the risk of children becoming victims of sexual abuse.
- 2) An unsafe social environment, which is an environment that is less safe and not child-friendly, including the presence of individuals with deviant behavior, can be a triggering factor for sexual abuse of children.
- 3) The use of social media and the internet, in which case children who are not supervised in their use of social media and the internet are vulnerable to becoming victims of sexual predators who use digital platforms to approach and manipulate them.

---

<sup>13</sup>Violence.kemenppa.go.id , accessed on May 7, 2025.

<sup>14</sup>Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia, Optimizing Protection for Child Victims of Sexual Violence, Issue of the Week of Commission VIII DPR RI, March 2025, p. 2.

<sup>15</sup>Elly Septiani and Nurhafifah, Legal Protection for Child Victims of Serious Abuse Perpetrated by Children, Syiah Kuava Law Journal, Faculty of Law, Syah Kuala University, Vol 1, April 2020.

<sup>16</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

Master of Law, UNISSULA

4) Low legal awareness, which is the lack of public understanding about the importance of reporting cases of sexual harassment and the applicable legal process, causes many cases to go unreported and perpetrators not to receive appropriate punishment.

5) Lack of early age sexual education, where children's ignorance about their body boundaries and rights makes them unaware that they are victims of sexual abuse.

6) The perpetrator is someone close to the victim, which means that many cases of child sexual abuse are carried out by people close to the victim, such as family members or neighbors, which makes the victim afraid to report it.

The high number of sexual abuse against children is what makes the government present a legal umbrella such as the Child Protection Law, which is more in depth about the meaning of child protection, it can be seen that it has been clearly regulated in Law Number 23 of 2002 concerning Child Protection which has been amended by Law Number 35 of 2014, where Article 1 number 2 provides the Limitation of child protection as child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination. The Child Protection Law emphasizes the need for increased criminal sanctions and fines for perpetrators of criminal acts, especially child victims. In addition, it encourages physical, psychological, and social recovery for child victims of criminal acts and gives responsibility to the state to jointly organize child protection.

The Indonesian Attorney General's Office is a state institution that exercises state authority, especially in the aspect of prosecution. As an institution that has the authority to enforce law and justice, the Attorney General's Office is led by the Attorney General who is appointed by and responsible to the President. The Attorney General's Office, the High Prosecutor's Office, and the District Prosecutor's Office are part of state power, especially in the field of prosecution, all of which form a complete and inseparable unity.<sup>17</sup>

Referring to Law No. 16 of 2004 which replaced Law No. 5 of 1991 concerning the Indonesian Attorney General's Office, the Attorney General's Office as a law enforcement institution is expected to contribute more to upholding the supremacy of law, protecting the interests of the community, upholding human rights, and eradicating Corruption, Collusion, and Nepotism (KKN). In the latest Law on the Attorney General's Office, the Indonesian Attorney General's Office as a state institution that exercises state power in the prosecution sector is required to carry out its functions, duties, and authorities independently, without being influenced by government power and other powers (Article 2 paragraph 2 of Law Number 16 of 2004).<sup>18</sup>

According to Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia, the prosecutor's office is a government institution whose functions are closely related to the judicial power which exercises state power in the field of prosecution and other authorities based on the Law.<sup>19</sup>The Attorney General's Office of the Republic of

---

<sup>17</sup> <https://badiklat.kejaksaan.go.id/pages/pengertian>, accessed on May 5, 2025.

<sup>18</sup> *Ibid.*

<sup>19</sup> Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia, Article 1 Number (1).

Master of Law, UNISSULA

Indonesia is a government institution that exercises state power independently, especially the implementation of duties and authorities in the field of prosecution and carrying out duties and authorities in the field of investigation and prosecution of corruption and serious human rights violations cases as well as other authorities based on Constitution.<sup>20</sup>

In carrying out its duties and authorities, in accordance with Article 33 of Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia as an amendment to Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia, the Attorney General's Office fosters cooperative and communication relations with law enforcement agencies and other agencies, law enforcement agencies from other countries, and international institutions or organizations.<sup>21</sup>

The Prosecutor's Office can provide legal advice to the President and other government agencies.<sup>22</sup>In the interests of law enforcement, the Prosecutor and/or Public Prosecutor in carrying out their duties and authorities may act according to their judgment while taking into account the provisions of laws and regulations and codes of ethics.<sup>23</sup>

The prosecutor's office is one of the law enforcement officers that has an important role in the prosecution process against perpetrators of sexual abuse of children. In the criminal justice system in Indonesia, the prosecutor's office acts as *dominus litis*, namely the party that has full authority in determining whether or not a case is worthy of being brought to court. Therefore, the effectiveness of the prosecutor's role is very important in law enforcement efforts and protection of child victims of sexual violence.<sup>24</sup>

Based on the results of the interview with the Head of the General Crimes Section (Kasi Pidum) at the Semarang District Attorney's Office, Mr. Sarwanto, SH, MH, said that the general crime prosecutor's office has the main responsibility in handling general criminal cases, including cases of sexual harassment of minors. This role includes supervision of the prosecution process, coordination with investigators, and ensuring that the legal process runs according to applicable provisions. In carrying out these duties by cooperating with the Head of the Semarang City District Attorney's Office, Mr. Candra Saptaji, SH, MH to ensure effective law enforcement and protection of victims, especially children who are victims of sexual crimes.<sup>25</sup>

The prosecution process is an action by the public prosecutor to refer a criminal case to a court that has the authority to and with a request that it can be examined and decided by a judge in a court hearing.<sup>26</sup>Andi Hamzah said that prosecution is a series of actions by the public prosecutor in submitting a criminal case to court, including making an indictment and proving the defendant's guilt.<sup>27</sup>

---

<sup>20</sup> [https://id.wikipedia.org/wiki/Kejaksaan\\_Republik\\_Indonesia](https://id.wikipedia.org/wiki/Kejaksaan_Republik_Indonesia), accessed May 5, 2025.

<sup>21</sup> Law Number 11 of 2021 concerning the Attorney General's Office of the Republic of Indonesia, Article 33.

<sup>22</sup> Ibid, Article 34.

<sup>23</sup> Ibid, Article 34 A.

<sup>24</sup> Lilik Mulyadi, *Juvenile Justice in Indonesia: Theory, Practice and Problems*, Bandung, PT Alumni, 2014, p. 112.

<sup>25</sup> Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>26</sup> Law Number 8 of 1981 concerning Criminal Procedure Law (KUHP), Article 1 number 7.

<sup>27</sup> Andi Hamzah, *Indonesian Criminal Procedure Law*, Jakarta, Sinar Grafika, 2001, p. 248.



Master of Law, UNISSULA

Prosecution is regulated in Chapter XV, Articles 137-144 of the Criminal Procedure Code. As is known, examination at the investigation level is the beginning of the criminal process. The purpose of the investigation is to obtain a decision from the public prosecutor, whether the requirements for prosecution are met. The criminal process is a series of integrated law enforcement actions. There is a close relationship between investigation and prosecution, even the success or failure of prosecution in court cannot be separated from the results of the investigation. The close relationship between investigative and prosecuting officials is illustrated, among others, in Article 109 of the Criminal Procedure Code which reads:<sup>28</sup>

- 1) If an investigator has begun investigating an incident that constitutes a criminal act, the investigator shall notify the public prosecutor of this;
- 2) In the event that the investigator stops the investigation because there is insufficient evidence or the incident turns out not to be a criminal act or the investigation is stopped by law, the investigator will notify the public prosecutor, the suspect and his/her family of this.
- 3) In the event that the termination referred to in paragraph (2) is carried out by the investigator as referred to in Article 6 paragraph (1) letter b, notification regarding this matter shall immediately be submitted to the investigator and public prosecutor.

According to Wirjono Prodjodikoro, prosecuting a defendant before a criminal judge is submitting a defendant's case with case files to the judge with a request that the judge examine and decide the criminal case against the defendant. In short, it can be said that prosecution is the act of the public prosecutor submitting a criminal case to the judge to be examined and decided.<sup>29</sup>

Barda Nawawi Arief, prosecution is part of the criminal justice system which has a central position because it determines the next criminal justice process, whether the case continues to court or is stopped.<sup>30</sup>

Based on the results of the interview with the Head of the General Crimes Section (Kasi Pidum) at the Semarang District Attorney's Office, namely Mr. Sarwanto, SH, MH, said that the prosecution process carried out by the Semarang District Attorney's Office Public Prosecutor in the crime of sexual harassment against minors begins with the receipt of case files from investigators is the initial stage of the criminal prosecution process carried out by the Public Prosecutor after investigators have completed the investigation of a case. In receiving case files from investigators, the Semarang District Attorney's Office is guided by Article 8 paragraph (3) letter a of the Criminal Procedure Code, where the Prosecutor has the authority to receive and examine case files from investigators to determine whether the case is complete or not.<sup>31</sup>

The purpose of the stage of receiving case files from investigators is to ensure that the case files have met formal requirements such as the suspect's identity, time and place of the in-

---

<sup>28</sup>Soedirjo, Prosecutors and Judges in Criminal Processes, Jakarta, Akademika Pressindo, 1985, p. 3.

<sup>29</sup>Ibid, p. 4.

<sup>30</sup>Barda Nawawi Arief, Op.Cit, p. 89.

<sup>31</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

Master of Law, UNISSULA

cident, chronology and material requirements such as sufficient evidence and meeting the elements of the alleged article. The flow of receiving case files from investigators begins with the investigator submitting stage I case files to the public prosecutor, then the prosecutor examines them within 7 working days, if they are not complete the prosecutor will return the files and provide instructions by issuing a P-19 letter, while if the files are complete the prosecutor will issue a P-21 letter.<sup>32</sup>

The next stage is the transfer of suspects and evidence, here the investigator hands over the suspect and evidence to the prosecutor. The prosecutor now has full authority over the case. Furthermore, the prosecutor plays a role in compiling an indictment containing the identity of the defendant, a description of the act, the articles violated, in this case the TPKS Law or the Child Protection Law. After that, the prosecutor submits the case files to the court to be registered, and the prosecution officially begins.<sup>33</sup>

In the trial, the prosecutor presents witnesses, experts, and evidence before the judge, then the prosecutor also provides criminal charges in the form of written criminal charges. If proven guilty, the prosecutor will demand an appropriate punishment. Furthermore, the judge decides based on the charges and evidence in the trial, then the prosecutor can accept or reject the verdict with an appeal/cassation. If the verdict has permanent legal force (inkrah), the prosecutor carries out the criminal execution of the defendant.<sup>34</sup>

To understand the role of the prosecutor's office in prosecuting criminal acts of sexual harassment against minors, the following describes examples of cases at the Semarang District Attorney's Office, as follows:<sup>35</sup>

#### 1) The case of the suspect R's sexual harassment of a minor

Chronology: The suspect with the initials R committed sexual harassment against a minor. He admitted that his actions were carried out under the influence of alcohol. The suspect R was transferred by the Semarang Police investigators to the Semarang City District Attorney's Office (Kejari). When transferred, R admitted that his depraved actions were carried out under the influence of alcohol. The incident occurred in 2021. When the victim was sleeping, the suspect R took advantage of the time to harass the victim, because he realized that someone was groping his body, the victim woke up but the suspect immediately turned around and pretended to be asleep. Therefore, the suspect apologized but only via WhatsApp chat. He did not meet the victim and her family in person. After that, the victim reported it to her parents and took the case to the police. For which he was charged with Article 76 E of Law No. 35 of 2014 concerning child protection.

Legal process:

---

<sup>32</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>33</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>34</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>35</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

Master of Law, UNISSULA

- This case was transferred by Semarang Police investigators to the Semarang District Attorney's Office.
- The Public Prosecutor (JPU) from the Semarang District Attorney's Office, Liliana, examined the suspect and prepared the indictment.
- The suspect was sentenced to 6 years and 3 months in prison by the court.

## 2. The Case of the Islamic Boarding School Caretaker

Chronology: the incident of the defendant MA alias BAA molesting the victim MJ occurred between April and December 2021. The defendant allegedly molested the victim by making threats at a hotel in Semarang City. The defendant was found guilty of violating Article 81 paragraph 1 of Law Number 35 of 2014 concerning child protection.

Legal process:

- This case was transferred by Semarang Police investigators to the Semarang District Attorney's Office.
- The Public Prosecutor (JPU) from the Semarang District Attorney's Office, Liliana, examined the suspect and prepared the indictment.
- The suspect was sentenced to 15 years in prison for the defendant for the act of molesting a female student by the court.

## 3. Case Decision Number 92/Pid.B/2022/PN Semarang

Defendant: A 37 year old man

Victim: 13 year old girl

Modeus Operandi: The defendant committed the indecent act by using trickery and seduction against the victim.

Verdict: The defendant was sentenced to imprisonment.

## 4. Case Decision Number 150/Pid.Sus/2023/PN Semarang

Defendant: An adult male

Victims: Minors

Judge's considerations: the judge considers the psychological impact experienced by the victim and the defendant's role in society.

Verdict: The defendant was sentenced to imprisonment.

## 5. Case Decision Number 56/Pid.Sus/2023/PN Semarang

Defendant: An adult male

Victims: Minors

Judge's considerations: the judge considered that the defendant's actions were very detrimental to the victim's mental and emotional development.

Verdict: The defendant was sentenced to imprisonment.

Based on the description of the case example above, it can be seen that the role of the prosecutor's office in prosecuting criminal acts of sexual harassment against minors, the perpetrators are mostly in their closest environment such as family, neighbors, acquaint-

Master of Law, UNISSULA

ances and others. In this case, when the investigators submit the case files to the Semarang District Attorney's Office, then the prosecutor's office assesses the completeness of the files, if the files are complete then P21 is issued.

The existence of sanctions or criminal penalties given by the Public Prosecutor contained in the indictment against the perpetrator of child molestation that occurred refers to and adheres to Article 82 of the Republic of Indonesia Law Number 17 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection which states: "Any person who intentionally commits violence or threats of violence, forces, commits trickery, a series of lies or persuades a child to commit or allow indecent acts to be committed, shall be punished with imprisonment for a maximum of 15 (fifteen) years and a minimum of 3 (three) years and a maximum fine of Rp. 300,000,000.00 (three hundred million rupiah) and a minimum of Rp. 60,000,000.00 (sixty million rupiah)<sup>36</sup>

The existence of a statement in the contents of the article makes children who are the targets of the act of sexual intercourse must be accompanied by adults who can truly understand the child because of the many manipulative actions applied in the occurrence of sexual intercourse which results in major psychological shocks and detrimental effects on the child's mental health. The existence of a form of choice contained in the demands submitted by the Public Prosecutor where in the sentencing for sexual intercourse of children must be in accordance with the elements contained in Article 82 paragraph (1) elements that should be individuals in the elements, as well as the prohibition on its implementation violence and the existence of threats, coercion, and also manipulation carried out related to lies and seduction to children who will be pressured to carry out sexual intercourse. Thus, the judge will pay attention to the evidence contained in the demands which are located, namely the first accusation in the choice as regulated in Article 82 Paragraph (1) of the Republic of Indonesia Law Number 17 of 2016, the second revision of Law Number 23 of 2002 concerning Child Protection.<sup>37</sup>

This article, the provisions for perpetrators of intimate relations carried out with the use of violent acts directed at children in terms of forcing the child, where this is something fatal and gets a very long sanction, namely by being sentenced to 15 years in prison and a minimum of 3 years in prison, should cause the perpetrator to feel regret and think about the actions he has done. The provisions in this article are very effective in sentencing individuals. The perpetrators can be held accountable for their actions before the law.<sup>38</sup>

Law Number 11 of 2012 concerning the Child Criminal Justice System regulates protection regarding guarantees for the safety of children who are witnesses in Article 90 Paragraph (1) point (b) which states "guarantees of safety, both physical, mental and social".

Based on the results of the interview with the Head of the General Crimes Section (Kasi Pidum) at the Semarang District Attorney's Office, Mr. Sarwanto, SH, MH, said that the role of

---

<sup>36</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>37</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>38</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

Master of Law, UNISSULA

the prosecutor's office in prosecuting criminal acts of sexual harassment against minors, the prosecutor's office has a central role in the criminal justice system, especially in the process of prosecuting criminal cases of sexual harassment against minors, as follows:<sup>39</sup>

1) Receive and examine case files from investigators

The prosecutor's office receives files from police investigators (stage I files), then examines whether the evidence and criminal elements are complete (P-21 files). If incomplete, the prosecutor will provide instructions (P-19)

2) Conducting prosecution

Once the files are complete, the prosecutor prepares an indictment and submits the case to the court. This indictment must be precise, clear, and complete to prove the elements of sexual harassment according to the relevant articles.

After the verdict is final and binding, the prosecutor oversees the execution of the criminal sentence for the perpetrator, both corporal punishment and additional punishment.

Based on the results of the interview with the Head of the General Crimes Section (Kasi Pidum) at the Semarang District Attorney's Office, Mr. Sarwanto, SH, MH, said that the role of the prosecutor's office in prosecuting criminal acts of sexual harassment against minors is guided by the Criminal Procedure Code, Law Number 35 of 2014 concerning Child Protection and Law Number 12 of 2002 concerning Criminal Acts of Sexual Violence. In prosecuting criminal acts of sexual harassment against minors, it is mandatory to prioritize the best interests of the child by applying principles such as the use of child-friendly language during examinations, assistance by psychologists, social workers, and prosecuting perpetrators by paying attention to child protection.<sup>40</sup>

The prosecutor's office in processing related to sexual harassment against minors is certainly not easy, in its role there must be some obstacles in carrying it out. Based on the results of the interview with the Head of the General Crimes Section (Kasi Pidum) at the Semarang District Attorney's Office, Mr. Sarwanto, SH, MH said that the obstacles experienced by the Semarang District Attorney's Office in carrying out the role of the prosecutor's office in prosecuting criminal acts of sexual harassment against minors, namely as follows:<sup>41</sup>

1) The victim's testimony was weak and inconsistent.

Children as victims often experience severe trauma, making it difficult to provide coherent and consistent information. Finally, this makes it difficult for prosecutors to prove criminal elements convincingly in court. The impact felt in the end is that the evidence is often only the victim's statement without medical support or other witnesses.

2) Lack of additional evidence

---

<sup>39</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>40</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>41</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.



Master of Law, UNISSULA

Sexual violence often does not leave strong physical evidence, especially if the report is made late. Post-mortem examinations can also lose relevance due to medical conditions.

The prosecutor's office in processing related to acts of sexual harassment against minors is certainly not easy, in its role there must also be several solutions to overcome obstacles in carrying it out. Based on the results of an interview with the Head of the General Crimes Section (Kasi Pidum) at the Semarang District Attorney's Office, Mr. Sarwanto, SH, MH said that the solution to overcome the obstacles experienced by the Semarang District Attorney's Office in carrying out the role of the prosecutor's office in prosecuting criminal acts of sexual harassment against minors, namely as follows:<sup>42</sup>

1) Capacity building and specialization of prosecutors

By conducting technical and psychological training because it can make prosecutors able to interview child victims with child-friendly techniques. So that by compiling the indictment will be carefully in accordance with Law Number 12 of 2012 concerning Criminal Acts of Sexual Violence and Law Number 35 of 2014 concerning Child Protection. The actions taken by the prosecutor's office are by assigning special prosecutors who have had training from the Prosecutor's BPSDM or partners such as the National Commission on Violence Against Women and LPSK.

2) Strengthening evidence through expert collaboration

In this case, the prosecutor must be active in requesting assistance from forensic experts, psychologists and visum et repertum from doctors. So that later it will be able to increase the role of the prosecutor in the pre-prosecution stage so that the investigation is more complete and efficient.

3) Promote a child-friendly court system

The prosecutor's office will conduct a child-friendly trial process, namely through CCTV recordings or videos for children's testimony, as well as examinations via video conference or from a separate room.

### **3.3. The Concept of the Role of the Prosecutor's Office in Prosecuting Criminal Acts of Sexual Harassment Against Minors in the Future**

The prosecutor's office in carrying out its strategic role in prosecuting cases of sexual abuse against children with an approach that not only enforces the law but also protects the rights of victims. Through coordination with various parties and a sensitive approach to victims, the prosecutor's office seeks to ensure justice and protection for children who are victims of sexual crimes.<sup>43</sup>

The prosecution process is an action by the public prosecutor to refer a criminal case to a court that has the authority to and with a request that it can be examined and decided by a judge in a court hearing.<sup>44</sup> Andi Hamzah said that prosecution is a series of actions by the

---

<sup>42</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>43</sup>Results of Interview with Mr. Sarwanto, SH, MH as Head of General Crime Section at Semarang District Attorney's Office, on May 6, 2025.

<sup>44</sup>Law Number 8 of 1981 concerning Criminal Procedure Law (KUHP), Article 1 number 7.

Master of Law, UNISSULA

public prosecutor in submitting a criminal case to court, including making an indictment and proving the defendant's guilt.<sup>45</sup>

Child protection is carried out with the principle of non-discrimination, the most important interests for children, recognition of children's views, the right to live, grow and develop and the right to participate. It regulates the fundamental rights of children to obtain identity, freedom, health services, entertainment, and education. In the implementation of the Law, it has been in line with the instructions of the 1945 Constitution of the Republic of Indonesia concerning the protection of human rights for children as individuals to have equal opportunities to develop and grow.

The Role of the Malaysian Public Prosecutor in Prosecuting Child Sexual Abuse Crimes as the prosecuting authority, namely the Attorney General's Chambers, acts as the state's principal prosecutor. The Prosecution Division is responsible for initiating and continuing the prosecution process for all criminal offences, including child sexual abuse.

The prosecutor's authority in Malaysia also examines and filters evidence from the Police. After the police have conducted an investigation, the file is submitted to the Prosecutor General. The Prosecutor General assesses whether there is sufficient evidence to prosecute, according to the "prima facie" standard. If the evidence is insufficient, the file can be returned for further investigation.

To file a lawsuit based on the applicable law, namely for cases of child sexual abuse, the prosecutor will use:

- 1) *Sexual Offenses Against Children Act 2017*(SOACA 2017) – special law regarding sexual crimes against children in Malaysia.
- 2) *Penal Code*(Malaysian Penal Code) – Sections 377E, 354 and 376 which deal with various forms of sexual violence.
- 3) The accuser can use multiple articles or multiple charges to strengthen the position of the accusation.
- 4) Filing a Child Protection Application in Court

While Malaysia has not explicitly mandated restitution as in Indonesia, prosecutors can recommend additional punishments such as rehabilitation of the perpetrator or counseling for the victim. Challenges and Efforts of Malaysian Prosecutors As in many other countries, prosecutors face challenges in proving sexual abuse due to lack of physical evidence, trauma to the child victim, and social stigma. Malaysia has established a Special Court for Sexual Crimes Against Children to expedite and facilitate the legal process in a child-friendly manner.

Meanwhile, the role of the Attorney-General's Chambers (AGC) in Singapore is as the sole authority for prosecution. In Singapore, the Attorney-General acts as the Public Prosecutor, and has exclusive authority to decide whether a person will be prosecuted criminally. Prosecutions are carried out by Deputy Public Prosecutors (DPPs) from the Crime Division in the AGC. Application of Relevant Laws The DPP files charges using the following laws:

---

<sup>45</sup>Andi Hamzah, Indonesian Criminal Procedure Law, Jakarta, Sinar Grafika, 2001, p. 248.

Master of Law, UNISSULA

1) *Penal Code*(Cap 224) – regulates:

a) Article 376A–C: sexual intercourse with a minor (statutory rape).

b) Article 354: outrage of modesty.

2) *Children and Young Persons Act*(CYPA) – provides additional protection for children (under 18 years).

3) *Protection from Harassment Act*(POHA) – used in cases of online sexual harassment.

This is different from Indonesia, where in carrying out its role, the prosecutor's office in prosecuting criminal acts of sexual harassment against minors from the stage of receiving the transfer of case files from investigation to prosecution by considering aspects of child protection and justice based on the Criminal Procedure Code, Law Number 35 of 2014 concerning Child Protection, and Law Number 12 of 2012 concerning Criminal Acts of Sexual Violence, although there are still several obstacles faced.

The concept of the role of the Prosecutor's Office in prosecuting criminal acts of sexual abuse against minors in the future should be with a prospective (futuristic) approach, based on legal trends, technology, and child protection with various ways of strengthening the role of the Prosecutor's Office in the future with a specialization in handling cases of sexual violence against children, which is projected to have more prosecutors with special certification (PPA Prosecutors) throughout the world so that later in handling cases it will be faster, more empathetic, and more effective, especially in the process of examining child victims.

Utilization of digital technology and electronic evidence because later the prosecutor is required to master the analysis of digital evidence such as chats or images from social media, CCTV recordings, and metadata evidence in online grooming cases. More integrated cross-sector collaboration so that later the child criminal justice system is based on an integrative approach (Integrated Child Protection System), then the prosecutor must play an active role in the coordination forum with LPSK, Komnas Anak, Ministry of PPA, Rehabilitation Institutions so that later it will guarantee restorative justice and comprehensive recovery for victims.

#### **4. Conclusion**

Based on the description of the research results and discussion that the author has outlined above, the following conclusions can be drawn: 1. The role of the prosecutor's office in prosecuting criminal acts of sexual harassment against minors at the Semarang District Attorney's Office acts as a controller of the case process (*Dominus litis*) which also plays a role from the stage of receiving the transfer of case files from investigation to prosecution by considering aspects of child protection and justice based on the Criminal Procedure Code, Law Number 35 of 2014 concerning Child Protection, and Law Number 12 of 2012 concerning Criminal Acts of Sexual Violence. The prosecutor's office in providing protection for children who are positioned in criminal cases will receive a guarantee of legal protection in the form of a guarantee of safety both physically, mentally, and socially and have access to information regarding the development of the case, the guarantee of protection obtained not only from Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, but also from Law Number 13 of 2006 concerning the protection of witnesses and victims. 2. Obstacles and solutions for the prosecutor's office in prosecuting criminal acts of sexual harass-

Master of Law, UNISSULA

ment against minors at the prosecutor's office. 3. Semarang State, namely the victim's weak inconsistent statement where the child as a victim often experiences severe trauma so that it is difficult to provide coherent and consistent information. Lack of additional evidence, Suboptimal coordination between law enforcement officers, Social stigma and Family intervention are reluctant to continue the case because of shame, fear of disgrace, Lack of special prosecutors or special competence and solutions to overcome the obstacles experienced, namely by increasing the capacity and specialization of prosecutors, Strengthening evidence through expert collaboration, Encouraging a child-friendly trial system, Maximizing the use of the TPKS Law and child protection and providing public advocacy and victim protection. 4. The concept of the role of the prosecutor's office in prosecuting criminal acts of sexual abuse against minors in the future is with a prospective (futuristic) approach, based on legal trends, technology, and child protection with various ways of strengthening the role of the prosecutor's office in the future with a specialization in handling cases of sexual violence against children, which is projected to have more prosecutors with special certification (PPA Prosecutors) throughout the world so that later in handling cases it will be faster, more empathetic, and more effective, especially in the process of examining child victims.

## 5. References

### Journals:

- Adalia Safira Rahma & Aldi Danuarta, 2022, Penerapan Fungsi Hukum Pidana Dalam Kasus Investasi Bodong, *Jurnal Analisis Hukum (JAH)*, Vol.5, No.1.
- Aris Wahjudi Santoso, 2023, Penerapan Teori Hukum Dalam Restorative Justice, *Ethics and Law Journal: Business and Notary (ELJBN)*, Vol. 1, No. 2, Hlm. 14.
- Budiyanto, 2016, Penerapan Keadilan Restoratif, *Papua Law Journal (PLJ)*, Vol.1, No.1.
- Dewi Sartika & Joko Jumadi, 2021, Penyuluhan Tentang Penyelesaian Restorative Justice, *Jurnal Risalah Kenotariatan*, Vol.2, No.2.
- Djanggih Hardianto dan Qamar Nurul, 2018, Penerapan Teori-Teori Kriminologi Dalam Penanggulangan Kejahatan Siber (Cyber Crime), *Pandecta Journal*, Vol. 13, No.1.
- Henny Saida Flora, 2017, Pendekatan Restorative Justice Dalam Penyelesaian Perkara Pidana Dalam Sistem Peradilan Pidana Di Indonesia, *Jurnal Law Pro Justitia*, Vol.2, No.2.
- Henny Saida Flora, 2018, Keadilan Restoratif Sebagai Alternatif Dalam Penyelesaian Tindak Pidana Dan Pengaruhnya Dalam Sistem Peradilan Pidana di Indonesia, *UBELAJ*, Vol.3, No.2.
- La Syarifuddin, 2019, Upaya Penyelesaian Perkara Pidana, *Risalah Hukum*, Vol.15, No.2.
- Nuning Indah Pratiwi, 2017, Penggunaan Media Video Call Dalam Teknologi Komunikasi, *Jurnal Ilmiah Dinamika Sosial*, Vol 1, No. 2.
- Rahmad Noor, 2019, Kajian Hukum Terhadap Tindak Pidana Penipuan Secara Online, *Jurnal Hukum Ekonomi Syariah*, Vol.3, No.2.
- Safitri Heni & Nurmiaswari Heru, 2019, Pengembangan Literasi Keuangan Dengan Pengetahuan Investasi Bodong, *Buletin Al-Ribaath*, Vol. 16, No. 2.

### Books:

- Ananda S, 2009, *Kamus Besar Bahasa Indonesia*, Kartika, Surabaya.

Master of Law, UNISSULA

- Bambang Waluyo, 2020, *Penyelesaian Perkara Pidana Penerapan Keadilan Restoratif Dan Transformatif*, Jakarta, Sinar Grafika.
- S.T. Kansil, *Pengantar Ilmu Hukum dan Tata Hukum Indonesia*, Balai Pustaka, Jakarta, 1989.
- Hazairin, 1985, *Demokrasi Pancasila*, Bina Aksara, Jakarta, hlm. 34.
- Imam Ad-Darimi, 2007, *Sunan Ad-Darimi*, Pustaka Azzam, Jakarta. Imam An-Nawawi, 2010 *Syarah Shahih Muslim*, Pustaka Azzam, Jakarta.
- Muhammad Taufiq, 2012, *Mahalnya Keadilan Hukum: Belajar Dari Kasus Lanjar*, MT&P Law Firm, Surakarta.
- Mukti Fajar dan Yulianto Achmad, 2010, *Dualisme Penelitian Hukum Normatif dan Empiris*, Yogyakarta, Pustaka Pelajar, hlm. 183.
- Nurdjana, 2009, *Sistem Hukum Pidana dan Bahaya Laten Korupsi Problematika Sistem Hukum Pidana dan Implikasinya pada Penegakan Hukum Tindak Pidana Korupsi*, Total Media, Yogyakarta.
- Phillipius dan M. Hadjon, 1987, *Perlindungan Hukum Bagi Rakyat Indonesia*, PT. Bina Ilmu, Surabaya.
- Ronny Hanitijo Soemitro, 1990, *Metodologi Penelitian Hukum dan Jurimetri*, Jakarta Ghalia Indonesia, Bandung, hlm. 34.
- Rufinus Hotmalana Hutauruk, 2013. *Penanggulangan Kejahatan Korporasi Melalui Pendekatan Restoratif Suatu Terobosan Hukum*. Jakarta. Sinar Grafika.
- Susan C. Hall, *Restorative Justice in the Islamic Penal Law. A Cintribution to the Global System*, Duquesne University School of Law Research Paper, No. 2012-11, 2009.
- Tandelilin Eduardus, 2010, *Portofolio dan Investasi (Teori dan Aplikasi)*, Kanisius, Yogyakarta.
- Teungku Muhammad Hasbi Ash-Shiddieqy, 2000, *Tafsir Al-Quranul Majid An- Nuur Jilid 3*, PT Pustaka Rizki Putra, Semarang.
- UNODC, 2006, *Handbook on Restorative Justice Programmes. Criminal Justice Handbook Series*, UN New York, Vienna.
- Wahid Abdul dan Labib Mohammad, 2005, *Kejahatan Mayantara (Cyber Crime)*, PT Refika Aditama, Bandung.
- Widoatmodjo Sawidji, Ferlianto Ricky Lie dan Rizal Joni, 2007, *Forex Online Trading Tren Investasi Masa Kini*, PT. Gramedia, Jakarta.
- Zainuddin Ali, 2009, *Metode Penelitian Hukum*, Jakarta, Sinar Grafika, hlm. 105.

### **Regulation:**

The 1945 Constitution of the Republic of Indonesia.

Law No. 1 of 2023 concerning the Criminal Code.

Regulation of the Republic of Indonesia National Police No. 8 of 2021, Concerning Handling of Criminal Acts Based on Restorative Justice.

Law Number 19 of 2016 concerning Electronic Information and Transactions

Law of the Republic of Indonesia No. 31 of 2014, Concerning Protection of Witnesses and Victims.



Master of Law, UNISSULA

**Internet:**

What That Investment Bulging, <https://bmoney.id/blog/what-is-fake-investment-116607>

Hadith Priest Bukhari, <https://www.laduni.id/post/read/516182/hadis-imam-bukhari-no-6182-false-oath>