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Victimization and the Fulfillment of the Rights of Child Victims of Sexual Exploitation: An Analysis of Decision No. 154/Pid.Sus/2026/PN JKT.SEL

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Original Article

Abstract

Child sexual exploitation requires analysis of both how children are victimized and how their legal entitlements are addressed within criminal proceedings. This article examines the recruitment networks, intermediaries, and digital communication described in South Jakarta District Court Decision No. 154/Pid.Sus/2026/PN JKT.SEL and considers the evidentiary limits of evaluating victims' restitution rights. It employs prescriptive doctrinal legal research using statutory and case-based approaches, with victimological concepts informing the analysis. The source manuscript describes exploitation coordinated from a correctional facility, a sentence of seven years and six months, a criminal fine, and no restitution order in the judgment's operative provisions. The complete authenticated judgment was not independently available, so these case-specific claims remain provisional. The analysis distinguishes criminal punishment and the return of property from restitution, while establishing that the absence of a restitution order does not, by itself, prove that no application was filed or that other remedies were unavailable. Its contribution is a five-stage framework distinguishing victim eligibility, rights notification, application, determination of loss, and implementation. This framework provides a more disciplined basis for assessing child victims' rights without inferring undocumented procedural failures.

Keywords: *Child Sexual Exploitation, Victimization, Victims' Rights, Restitution, Indonesian Criminal Justice*

Abstrak

Penelitian ini mengkaji pola viktimisasi dan batas penilaian pemenuhan hak restitusi anak korban eksploitasi seksual berdasarkan Putusan Nomor 154/Pid.Sus/2026/PN JKT.SEL sebagaimana diuraikan dalam naskah sumber. Metode yang digunakan ialah penelitian hukum normatif preskriptif melalui pendekatan perundang-undangan, kasus, dan konseptual. Analisis menunjukkan adanya rangkaian perekrutan melalui perantara, penawaran imbalan, dan komunikasi daring yang dapat dipahami sebagai pola eksploitasi dalam relasi tidak setara. Akan tetapi, uraian perkara belum dapat diverifikasi secara independen karena salinan resmi putusan tidak disertakan. Dari sisi hak korban, denda dan pengembalian barang bukti tidak setara dengan restitusi. Tidak tercantumnya restitusi dalam amar, apabila dikonfirmasi melalui putusan autentik, belum membuktikan ketiadaan permohonan, penolakan hak, ataupun kegagalan pembayaran di luar putusan pidana. Artikel ini merumuskan lima parameter pemeriksaan berjenjang: kualifikasi korban, pemberitahuan hak, status pengajuan, penetapan kerugian, dan pelaksanaan restitusi. Temuan tersebut mempertegas pemisahan antara hak normatif, proses permohonan, dan pemenuhan hak yang terbukti dalam dokumen perkara.

Kata kunci: *Eksploitasi Seksual Anak, Viktimisasi, Restitusi, Perlindungan Anak, Putusan Pengadilan*

1. INTRODUCTION

Legal protection for children cannot be evaluated solely by whether criminal law prescribes penalties for offenders. Once a child becomes the victim of an offense, the state must address personal safety, legally cognizable harm, and access to support and recovery alongside the offender's criminal liability. Harrys Pratama Teguh situates the protection of children within a wider legal framework that recognizes their rights as victims and prohibits exploitation.[1] A victim-centered analysis consequently treats the child as a holder of enforceable interests rather than merely a source of testimony needed to establish the prosecution's case. This distinction becomes particularly important where the judgment records punishment but reveals little about the subsequent exercise of victims' rights.

Indonesian child-protection legislation defines protection in relation to children's rights to life, development, participation, and freedom from violence and discrimination. Article 59(2)(d) identifies children subjected to economic or sexual exploitation as a category entitled to special protection.[2] Such protection responds to relationships marked by unequal power, knowledge, and resources. As Nuroniyah explains, protective responsibilities extend across families, communities, and public authorities and encompass both prevention and measures taken after a violation.[3] In the context of sexual exploitation, effective protection therefore involves legal assistance, health services, psychological support, and avenues for redress; the existence of a criminal prohibition is only one component of the legal response.

Digital communication can facilitate contact with children, exchanges of personal information, and the coordination of encounters without the offender being physically present. Wowor and Atalim examine the need to protect minors where electronic information systems are used in ways that threaten their legal interests.[4] Nevertheless, technology is an enabling medium rather than an independent legal explanation for exploitation. As the scholarship on child sexual exploitation emphasizes, commercial arrangements may involve recruitment, intermediaries, and the pursuit of benefits through the involvement of children.[5] The inquiry must therefore focus on how actors use digital access and unequal relationships to organize exploitative conduct. The legal

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1 H. P. Teguh, *Teori Dan Praktek Perlindungan Anak Dalam Hukum Pidana* (Andi, 2018), 13–14.

2 Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak (2014) Pasal 1 angka 2 dan Pasal 59 ayat (1) serta ayat (2) huruf d.

3 W. Nuroniyah, *Hukum Perlindungan Anak Di Indonesia* (Yayasan Hamjah Diha, 2022), 1–3.

4 A. Wowor and S. Atalim, "Legal Protection for Minors in Accessing Information and Electronic Transactions under the ITE Law and the Child Protection Law," *Tarumanagara Law Review* 3, no. II (2021): 101–21.

5 Z. Ismail et al., *Memahami Tindak Pidana Eksploitasi Seksual Anak: Sebagai Upaya Perlindungan Terhadap Anak* (Madza Media, 2021), 24–26.

response must also account for children's interests after the offense rather than ending with the prosecution of the perpetrator.[6]

Victimology provides the conceptual vocabulary for examining that process without shifting responsibility to the child. Mahrus Ali questions an exclusively offender-centered criminal justice orientation and emphasizes the legal position and needs of victims.[7] Rena Yulia similarly connects victimization to the circumstances of an offense and the availability of legal protection.[8] Although research on children affected by domestic violence concerns a different form of harm, it illustrates the broader principle that a conviction alone does not demonstrate comprehensive protection.[9] Research on sexual exploitation likewise identifies the importance of assistance, recovery, and protection during proceedings.[10] These strands of scholarship support a two-part inquiry: how the child was placed within the exploitative arrangement, and how the legal system identifies and addresses the resulting rights and losses. An account of vulnerability must not be converted into an assertion of victim culpability.

The legal responsibilities implicated by child sexual exploitation are distributed among public institutions, families, and society, each within its own legal sphere. Recent scholarship on the Child Protection Law underscores this shared protective framework.[11] That does not justify attributing criminal or disciplinary wrongdoing to parents, correctional officers, or other individuals who were not the subject of the case under review. Institutional obligations may be analyzed normatively, but any finding of personal misconduct requires distinct evidence. The present inquiry accordingly separates applicable duties from case-specific determinations of fault.

The source manuscript identifies South Jakarta District Court Decision No. 154/Pid.Sus/2026/PN JKT.SEL as its principal case. It describes a defendant allegedly communicating from Cipinang Correctional Institution with outside intermediaries to arrange the recruitment and sexual exploitation of children, some of whom were reportedly used to contact other children. It also reports imprisonment, a criminal fine, the return of certain items, and no restitution order in the operative part of the judgment.[12] These descriptions are treated as the author's account of the proceedings, not as independently authenticated findings: no complete official copy of the decision

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6 W. C. K. Sari, "Perlindungan Hukum Terhadap Anak Sebagai Korban Kejahatan Eksploitasi Seksual," *IPMHI Law Journal* 2, no. 1 (2022): 61–72, https://doi.org/10.15294/ipmhi.v2i1.53747.

7 M. Ali, *Viktimologi* (Rajawali Pers, 2021), 1–3.

8 R. Yulia, *Viktimologi: Perlindungan Hukum Terhadap Korban Kejahatan (Edisi Ke-2)* (Graha Ilmu, 2021), 8–9.

9 A. E. Prasetya, "Law Enforcement Regarding Children Who Are Victims of Domestic Violence Based on Law No. 35 of 2014 Concerning Amendments to Law No. 23 of 2002 Concerning Child Protection (Case Study: Decision No. 322/Pid.Sus/2014/PN.Jkt.Tim)," *Tarumanagara Law Review* 1, no. II (2019): 161–77.

10 E. K. B. Simamora et al., "Perlindungan Hukum Terhadap Anak Sebagai Korban Eksploitasi Secara Seksual," *Jurnal Keluarga Sehat Sejahtera* 23, no. 1 (2025): 9–20.

11 N. W. Musaddiq, "Perlindungan Hukum Terhadap Anak Korban Eksploitasi Seksual Menurut UU Perlindungan Anak," *Arus Jurnal Psikologi Dan Pendidikan* 5, no. 1 (2026): 622–31.

12 Putusan Nomor 154/Pid.Sus/2026/PN JKT.SEL (2026).

or separate restitution file accompanied the materials made available for this translation. The central legal problem is therefore both substantive and evidentiary. What pattern of victimization can be responsibly inferred from the reported conduct, and what can be concluded about restitution when the available record does not establish the notification, application, assessment, or payment history?

The research gap lies in the frequent analytical separation of studies of online child exploitation from studies of restitution procedure. Work on victimization often identifies risk factors and recruitment mechanisms, while restitution scholarship frequently concentrates on entitlements or enforcement obstacles. Neither type of inquiry, taken alone, resolves the evidentiary question of what a criminal judgment without an express restitution order actually proves. This article's limited conceptual contribution is a staged method of assessment that distinguishes a recognized legal right from its procedural invocation, judicial determination, and actual performance. It does not claim to discover new facts about the victims or to prove institutional failures absent documentary support.

2. RESEARCH METHODOLOGY

This study employs prescriptive doctrinal legal research to analyze statutory duties, legal concepts, and the reported content of a judicial decision. Widiarty explains the role of legal materials and normative reasoning in this form of research.[13] The statutory approach considers the Child Protection Law, Law No. 12 of 2022 on Sexual Violence Crimes, correctional legislation, Law No. 3 of 2026 on the Protection of Witnesses and Victims, the National Criminal Code, Government Regulation No. 43 of 2017, and Supreme Court Regulation No. 1 of 2022. A case-based approach evaluates the reported recruitment arrangements, digital communication, sanctions, and available indications of restitution. Victimological and conceptual analysis helps distinguish offender conduct, children's vulnerability, and secondary victimization. The method remains normative: it does not involve interviews, field observation, or empirical measurement.

Primary legal materials comprise legislation and the identified judicial decision; secondary materials include legal treatises, victimology scholarship, and peer-reviewed literature on child exploitation, online grooming, and restitution.[14] Following the legal-research framework discussed by Muhaimin, the materials are organized by legal question, applicable statutory framework, and the temporal operation of the rules.[15] The analysis interprets provisions systematically and relates them to case descriptions supplied by the source manuscript, while expressly separating verified normative

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[13] Wiwik Sri Widiarty, *Buku Ajar Metode Penelitian Hukum* (Publika Global Media, 2024), 26–27.

[14] Rayhan Fiqi Fansuri and Juan Matheus, "Enforcement of Human Rights through Criminal Law Against Environmental Destruction Due to Batik Industry Activities," *Indonesian Journal of Criminal Law Studies* 7, no. 2 (2022): 291–316, https://doi.org/https://doi.org/10.15294/ijcls.v7i2.

[15] Muhaimin, *Metode Penelitian Hukum* (Mataram University Press, 2020), 64–65.

content from unverified procedural facts. In particular, the absence of a restitution order in the reported operative provisions cannot substitute for access to the full judgment, prosecution submissions, restitution applications, separate rulings, or payment records.

3. RESEARCH RESULT AND DISCUSSION

3.1. Victimization of Children Subjected to Sexual Exploitation

Victimization concerns the process through which an individual is harmed by criminal conduct, not merely the formal label assigned after prosecution. C. Maya Indah S. emphasizes the relationships among victims, offenders, and the circumstances of an offense.[16] Panjaitan likewise associates the victim's position with the injury sustained and the conditions in which the offense occurred.[17] Applied to child sexual exploitation, these approaches require an examination of the perpetrator's acts, access to children, and recruitment arrangements rather than an assumption that social media use or poverty alone caused the offense. The source narrative describes a person coordinating online offers of sexual services from a correctional facility through a telephone and intermediaries. A child who assists in contacting other children may simultaneously be subjected to exploitation; the child's involvement cannot, by itself, establish consent equivalent to that of an autonomous adult.

Differences in age, knowledge, and bargaining power are central to this inquiry. Research on commercial sexual exploitation discusses children's exposure to social and environmental vulnerabilities, although the attribution of that particular study requires bibliographic correction before publication.[18] Crucially, identifying vulnerability is not the same as assigning blame. Kurniawan, Felisiano, and Astutik warn that interpretations of victim precipitation can improperly turn the circumstances of a sexual offense into grounds for holding the victim responsible.[19] Contact with an offender, participation in recruitment, or receipt of money therefore cannot justify exploitation or displace the legal burden of establishing the accused person's conduct and the elements of the offense.

Soetodjo and Melani explain why children's developmental position warrants legal treatment different from that accorded to adults.[20] Although much of their discussion concerns juvenile criminal justice, the best-interests principle is also relevant when

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[16] C. M. Indah S., *Perlindungan Korban: Suatu Perspektif Viktimologi Dan Kriminologi (Edisi Ke-2)* (Kencana, 2014), 21–23.

[17] B. S. Panjaitan, *Viktimologi: Pandangan Advokat Terhadap Perbuatan Pidana Dan Korban* (CV Amerta Media, 2022), 9–11.

[18] B. H. Prasasty et al., "Perlindungan Hukum Terhadap Anak Korban Eksploitasi Seksual Komersial Berdasarkan Kajian Viktimologi," *Jurnal Hukum Lex Generalis* 6, no. 7 (2025), https://doi.org/10.56370/jhlg.v6i7.1347.

[19] R. A. Kurniawan et al., "Penafsiran Victim Precipitation Untuk Pemidanaan Kekerasan Seksual," *Masalah-Masalah Hukum* 52, no. 1 (2023): 86–96, https://doi.org/10.14710/mmh.52.1.2023.86-96.

[20] W. Soetodjo and Melani, *Hukum Pidana Anak (Edisi Revisi)* (Refika Aditama, 2013), 49–51.

children participate in proceedings as victims. The child remains entitled to safety, dignity, confidentiality, and assistance despite any role attributed to the child within the exploitative arrangement. Recognition of a child's vulnerability must guide protection without becoming an unsupported description of the particular child's psychology or conduct.

Online communication, as described in the source manuscript, allegedly enabled the defendant to request photographs, contact intermediaries, and coordinate transactions while remaining inside the correctional institution. Astuti, Afina, and Guntara explain why online grooming should be analyzed through power relations and structural conditions rather than only by identifying the platform used.[21] A routine-activities perspective likewise draws attention to offender motivation, access to potential victims, and opportunities for supervision; Chopin and Beauregard use this lens to examine sexual victimization.[22] Here, communication access is a possible enabling condition, not proof that any particular officer breached a duty. Dewi's case-based victimological study provides a comparison concerning recruitment and relations of control, but does not establish that its identified grooming stages occurred in this case.[23] The evidence-based focus remains the reported network of intermediaries, offers, and coordination.

The literature on child grooming describes manipulative approaches that may precede sexual exploitation. Yogo and colleagues examine regulatory responses to such conduct in Indonesia.[24] Cahyani and Oktavianty address grooming in online gaming environments, a setting different from the messaging applications identified in the source narrative but relevant to understanding remote access.[25] Sari and Astuti compare Indonesian and Australian legal responses to cyber child grooming.[26] These studies identify potential preventive concerns; they do not permit every online communication in the present case to be classified as grooming without the corresponding factual elements. Nor do comparative concepts authorize the imposition of an offense beyond the applicable charge and statutory framework. On the source manuscript's account,

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21 O. A. S. Astuti et al., "Fenomena Online Grooming Terhadap Anak Korban Kekerasan Seksual Ditinjau Dari Perspektif Viktimologi Kritis," *Jurnal Ilmiah Research and Development Student* 4, no. 2 (2026): 336–50, https://doi.org/10.59024/jis.v4i2.2138.

22 J. Chopin and E. Beauregard, "Understanding the Sexual Victimization of Child and Elder Victims under the Lens of Interactional Victimology: A Routine Activities Theory Approach," *Justice Quarterly* 40, no. 6 (2023), https://doi.org/10.1080/07418825.2023.2184713.

23 A. K. Dewi, "Tinjauan Viktimologis Eksploitasi Seksual Terhadap Anak: Studi Kasus Putusan Nomor 253/Pid.Sus/2023/PN Gto," *Law Research Review Quarterly* 11, no. 2 (2025), https://journal.unnes.ac.id/journals/snh/article/view/28571.

24 T. Yogo et al., "Perlindungan Anak Dari Ancaman Child Grooming Di Indonesia: Evaluasi Regulasi Dan Rekomendasi Pembaruan Hukum Dalam Era Digital," *SETARA: Jurnal Ilmu Hukum* 5, no. 2 (2024): 45–50.

25 N. M. Cahyani and R. K. Oktavianty, "Cyber Child Grooming Dalam Game Online Sebagai Kejahatan Siber Terhadap Anak Dalam Perspektif Hukum Pidana Indonesia," *Keadilan* 24, no. 2 (2026): 634–45.

26 P. A. P. Sari and P. Astuti, "Perlindungan Hukum Terhadap Korban Cyber Child Grooming Di Indonesia Dan Australia," *Indonesian Journal of Contemporary Law* 3, no. 2 (2026): 1–43.

the legal characterization to be examined is sexual exploitation under Articles 76I and 88 of the Child Protection Law.

The distinction between preventive and responsive protection is useful in the context of digital contact. Najoan, Bawole, and Maramis discuss measures for protecting children exposed to cyber grooming on social media.[27] Apriandari and Putri identify questions surrounding the regulation of preliminary grooming conduct under Indonesian legislation.[28] Their findings help differentiate possible risks before exploitation, preventive policy, and conduct that may satisfy the elements of an existing crime. Because the present study is based on a single reported judgment, it cannot evaluate the effectiveness of platform-wide moderation, national cybercrime prevention, or every investigative step taken by the authorities.

The defendant's reported status as an incarcerated person raises a further institutional context. Law No. 22 of 2022 identifies security and supervision as functions of the correctional system.[29] Restrictions concerning mobile telephone possession were addressed under Minister of Law and Human Rights Regulation No. 6 of 2013, as amended by Regulation No. 29 of 2017.[30] Regulation No. 8 of 2024 subsequently developed the framework for correctional security and order.[31] These instruments must be applied according to the timing of the reported events and the relevant regulatory transition. The presence of a device in a prison may inform an analysis of opportunity, but it cannot establish the misconduct or criminal participation of an unidentified prison employee.

The source manuscript states that the court evaluated the defendant's conduct under Article 76I in conjunction with Article 88 of the Child Protection Law.[32] The relevant issue is the exploitation of children through the reported sequence of acts, not merely unauthorized telephone use. Without independent examination of the authenticated judgment, the discussion cannot reconstruct additional judicial reasoning, determine the complete chronology, or attribute liability to persons not tried in the proceedings. Nevertheless, the distinction between acts constituting the alleged offense and circumstances enabling those acts is analytically important for a victim-centered account.

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27 S. K. M. Najoan et al., "Perlindungan Hukum Terhadap Anak Sebagai Korban Cyber Grooming Di Media Sosial," *Lex Crimen* 15, no. 5 (2026), https://ejournal.unsrat.ac.id/v3/index.php/lexcrimen/article/view/68926.

28 S. S. Apriandari and R. E. G. D. Putri, "Kekosongan Pengaturan Cyber Child Grooming Dalam UU ITE Dan Undang-Undang Perlindungan Anak," *Binamulia Hukum* 15, no. 1 (2026): 205–18.

29 Undang-Undang Nomor 22 Tahun 2022 Tentang Pemasyarakatan (2022) Pasal 4.

30 Permenkumham Nomor 6 Tahun 2013 Sebagaimana Diubah Dengan Permenkumham Nomor 29 Tahun 2017 (2013) Pasal 4 huruf j.

31 Permenkumham Nomor 8 Tahun 2024 Tentang Penyelenggaraan Keamanan Dan Ketertiban Pada Satuan Kerja Pemasyarakatan (2024).

32 Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak Pasal 76I jo. Pasal 88.

The victimization pattern emerging from the supplied account is a networked arrangement of recruitment, promised payment, and digital coordination in which the alleged organizer's physical location did not prevent contact with children through intermediaries. Age-related vulnerability and unequal power help explain the relational structure without proving that every child experienced the same financial pressures or recruitment sequence. The core legal inference concerns the reported exploitation undertaken by the alleged organizer; broader assertions about the children's backgrounds or the responsibility of correctional officials would require separate evidence.

3.2. Child Victims' Rights, Restitution, and the Limits of Judicial Assessment

The analysis must next distinguish recognition of the child as a victim from the substantive fulfillment of the child's legal rights. Nuroniyah locates child protection within a framework encompassing safety, development, and protection from harmful exploitation.[33] Kuswandi, Paminto, and Yulianah likewise emphasize the victim's interests and experience within victimological analysis.[34] These accounts support the proposition that an offender's conviction and sentence are not a complete measure of legal redress, particularly when recovery, access to information, and representation remain separate matters.

Article 59 of the Child Protection Law places sexually exploited children among those entitled to special protection.[35] The rule entails consideration of the child's circumstances during proceedings and in subsequent recovery. Nawawi's discussion of children in the criminal justice system reinforces the relevance of the best-interests principle even where the accused is an adult and the child is a victim.[36] Confidentiality, safety, and support must be assessed according to the individual child's needs. They cannot be inferred automatically from the amount of money involved in an exploitative transaction or from the severity of the sentence imposed.

Law No. 12 of 2022 on Sexual Violence Crimes forms part of the relevant protective framework. Article 4(2)(c) includes the sexual exploitation of children among offenses falling within the Act's scope.[37] Accordingly, even where criminal liability is addressed under Articles 76I and 88 of the Child Protection Law, the statutory provisions governing victims' handling, protection, and recovery remain relevant to an analysis of legal entitlements. This does not reclassify the offense charged or alter the statutory basis of the reported conviction.

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[33] Nuroniyah, *Hukum Perlindungan Anak Di Indonesia*, 44–46.

[34] Kuswandi et al., *Viktimologi: Teori, Peran Korban, Dan Pendekatan Restoratif* (CV Dunia Penerbitan Buku, 2025), 1–3.

[35] Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak Pasal 59 ayat (1) dan ayat (2) huruf d.

[36] J. Nawawi, *Anak Dalam Sistem Peradilan Pidana* (Lakeisha, 2022), 49–51.

[37] Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual (2022) Pasal 4 ayat (2) huruf c dan ketentuan hak korban.

A sexual-exploitation analysis cannot be reduced to the form of the sexual act; the exploitative use of a child and the exchange of benefits must also be considered. Laird and colleagues' conceptual model identifies the child's status, sexual conduct, abuse, and exploitation as distinct but connected dimensions.[38] Victims may experience psychological harm, interrupted social relationships, and medical or counseling costs, but the existence and extent of such harm must be established for each individual. As Yulia argues, the legal position of victims requires attention beyond the offender's punishment.[39] Access to information, representation, protection of identity, and recovery should therefore be considered without presuming unrecorded injuries.

Restitution is one legally recognized form of redress. Article 71D (1) of the Child Protection Law permits eligible child victims, including children subjected to sexual exploitation, to seek restitution.[40] Government Regulation No. 43 of 2017 addresses losses of property, suffering arising from the offense, and medical or psychological expenses.[41] Restitution must be distinguished from a criminal fine, and financial payment cannot be equated with all aspects of recovery. The regulation also addresses who may file an application, including parents or guardians, heirs, and authorized representatives.[42] Access to assistance matters because children and families may be unable to document losses or navigate the procedure on their own. The existence of a statutory remedy, however, does not demonstrate that an application was made in this particular case.

Law No. 3 of 2026 on the Protection of Witnesses and Victims entered into force on May 20, 2026 and expanded the statutory framework concerning restitution, information, and the assessment of loss.[43] Its applicability must be analyzed in light of the timing of the alleged conduct and procedural steps. A subsequently enacted duty cannot simply be projected backward to establish that officials breached it before its effective date. A credible case assessment must instead identify the governing rule at each relevant stage.

The source manuscript reports that the operative provisions ordered the return of specified items to two child victims, addressed certain digital instruments or accounts, and imposed a criminal fine of IDR 1 billion. Those measures have different legal functions. A fine is a penal sanction; the return of seized property restores possession

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38 J. J. Laird et al., "Toward a Global Definition and Understanding of Child Sexual Exploitation: The Development of a Conceptual Model," *Trauma, Violence, & Abuse* 24, no. 4 (2023): 2243–2245., https://doi.org/10.1177/15248380221090980.

39 Yulia, *Viktimologi: Perlindungan Hukum Terhadap Korban Kejahatan (Edisi Ke-2)*, 80–82.

40 Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak Pasal 71D ayat (1).

41 Peraturan Pemerintah Nomor 43 Tahun 2017 Tentang Pelaksanaan Restitusi Bagi Anak Yang Menjadi Korban Tindak Pidana (2017) Pasal 2 ayat (2) huruf b dan Pasal 3.

42 Peraturan Pemerintah Nomor 43 Tahun 2017 Tentang Pelaksanaan Restitusi Bagi Anak Yang Menjadi Korban Tindak Pidana Pasal 4–5.

43 Undang-Undang Nomor 3 Tahun 2026 Tentang Pelindungan Saksi Dan Korban (2026) Pasal 19–20 dan ketentuan mulai berlaku.

of an item; restitution addresses compensable loss suffered by the victim. The manuscript also states that the judgment did not order restitution.[44] Even if authenticated, that observation establishes only the absence of such an order from the operative provisions. It does not prove that victims were never informed, that an application was denied, that a separate postjudgment procedure was unavailable, or that an officer neglected a legal obligation. Each stronger proposition requires materials beyond the cited judgment, including application papers, supporting loss assessments, court determinations, or payment records.

Under the National Criminal Code, effective January 2, 2026, payment of compensation to victims or their heirs may constitute an additional penalty under Article 66(1)(d) and Article 94 of Law No. 1 of 2023.[45] That mechanism must be analytically distinguished from victim restitution procedures even where their purposes overlap. As the source narrative indicates that at least part of the alleged conduct preceded 2026, applying a later penal rule requires attention to legality and transitional provisions. The date of a judgment or scholarly publication cannot alone justify retroactive substantive criminal liability.

Articles 30 and 31 of Law No. 12 of 2022 address restitution and related rights of victims of sexual violence. Government Regulation No. 29 of 2025 establishes a framework for a victims' assistance fund, while Government Regulation No. 30 of 2025 regulates prevention, victim handling, protection, and recovery.[46] Together, these instruments confirm that protection is broader than financial restitution: access to integrated services, psychological support, personal security, and confidentiality may require independent institutional measures. Their availability and eligibility conditions must nevertheless be evaluated under the provisions applicable to the particular victim and the relevant procedural stage.

Supreme Court Regulation No. 1 of 2022 sets out procedures for examining applications for restitution and compensation. Law No. 3 of 2026 also provides mechanisms for restitution before and after a judgment becomes final and binding, involving the Witness and Victim Protection Agency (LPSK) as provided by law.[47] In addition, the Criminal Procedure Code enacted by Law No. 20 of 2025 addresses compensable losses and procedural duties concerning notice of restitution rights and assistance in calculating claims; its transitional provisions must be considered where

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[44] *Putusan Nomor 154/Pid.Sus/2026/PN JKT.SEL*, 71–73.

[45] Undang-Undang Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana (2023) Pasal 66 ayat (1) huruf d dan Pasal 94; Pasal 624 mengenai mulai berlakunya KUHP.

[46] Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual Pasal 30–31; Peraturan Pemerintah Nomor 29 Tahun 2025 Tentang Dana Bantuan Korban Tindak Pidana Kekerasan Seksual (2025); Peraturan Pemerintah Nomor 30 Tahun 2025 Tentang Pencegahan Tindak Pidana Kekerasan Seksual Serta Penanganan, Pelindungan, Dan Pemulihan Korban (2025).

[47] Peraturan Mahkamah Agung Nomor 1 Tahun 2022 Tentang Tata Cara Penyelesaian Permohonan Dan Pemberian Restitusi Dan Kompensasi Kepada Korban Tindak Pidana (2022); Undang-Undang Nomor 3 Tahun 2026 Tentang Pelindungan Saksi Dan Korban Pasal 19 dan Pasal 23 ayat (2).

proceedings crossed the January 2026 commencement date.[48] These provisions establish legal possibilities and duties, not evidence that particular steps were taken or omitted in the reported case. Thus, a court's silence on restitution cannot be treated as a complete procedural history.

Apriyani's work on restitution for victims of sexual violence underscores the difference between formal recognition of a right and its practical realization.[49] Ricardo, Ismail, and Iryani identify enforcement difficulties where an offender is unable or unwilling to pay an established restitution obligation.[50] Hidaya and colleagues connect restitution with justice for child victims, rather than with the gravity of punishment alone.[51] Taken together, these studies suggest three analytically distinct moments: the right exists under law; a competent body evaluates and determines an application; and the resulting obligation, if any, is fulfilled. Because no independent enforcement documents were supplied, this article cannot assess whether any restitution was paid in the proceedings at issue. Nor can payment alone be presumed to resolve every nonpecuniary injury.

Other scholarship identifies potential constraints on the realization of child victims' rights. Antoni, Hosnah, and Simanjuntak consider the wider protective requirements of sexual-violence legislation.[52] Wardhani and Pranawa address difficulties in putting restitution norms into practice.[53] Damayanti and Paramudhita examine restitution in trafficking cases, a useful comparison concerning recovery but not a basis for reclassifying the present conduct as trafficking.[54] Diharimurti and colleagues discuss restitution for child victims in a different category of sexual offense,[55] while Sari and Serbabagus analyze an intercourse offense involving a child victim.[56] The legal definitions and evidentiary circumstances of those cases are not interchangeable. Their shared relevance is that victim protection requires a distinct inquiry into the availability, determination, and realization of redress.

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[48] Undang-Undang Nomor 20 Tahun 2025 Tentang Kitab Undang-Undang Hukum Acara Pidana (2025) Pasal 178 ayat (1) dan ayat (2), Pasal 179 ayat (1) dan ayat (2), Pasal 361, dan Pasal 369.

[49] M. N. Apriyani, "Implementasi Restitusi Bagi Korban Tindak Pidana Kekerasan Seksual," *Risalah Hukum* 17, no. 1 (2021): 1–2.

[50] D. Ricardo et al., "Optimalisasi Eksekusi Restitusi Bagi Anak Yang Menjadi Korban Tindak Pidana Kekerasan Seksual Dalam Mewujudkan Kepastian Hukum," *Ilmu Hukum Prima* 7, no. 1 (2024): 27–28.

[51] W. A. Hidaya et al., "Realizing Restitution Justice for Child Victims of Sexual Assault," *Jurnal USM Law Review* 7, no. 3 (2024): 1484–97.

[52] H. Antoni et al., "Perlindungan Hukum Bagi Korban Kekerasan Seksual Pada Anak Berdasarkan Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual," *Logika* 15, no. 2 (2024): 235–47.

[53] Apriyani, "Implementasi Restitusi Bagi Korban Tindak Pidana Kekerasan Seksual."

[54] I. Damayanti and R. R. Paramudhita, "Peran Restitusi Dalam Tindak Pidana Perdagangan Orang," *UNES Law Review* 6, no. 3 (2024): 8585–91.

[55] M. H. Y. Diharimurti et al., "Tindakan Keadilan Untuk Anak-Anak Korban Pedofilia: Penerapan Hak Restitusi," *Jurnal Education and Development* 12, no. 2 (2024): 390–92.

[56] L. P. Sari and S. Serbabagus, "Pemenuhan Hak Restitusi Kepada Korban Tindak Pidana Persetubuhan (Studi Putusan Nomor 26/Pid.Sus/2023/PN.Tbn)," *LAW Specialist* 1, no. 2 (2024): 228–66.

Attamimi and Tanudjaja distinguish the statutory entitlement to restitution from the practical problem of obtaining payment.[57] Radjak and Sahabat discuss institutional and awareness-related obstacles in another local setting.[58] Such findings identify possible lines of inquiry, not facts established about the South Jakarta case. The return of property reported in the source material cannot automatically be treated as restitution, and the present record does not establish whether difficulties of execution or victim assistance arose in these particular proceedings.

Pradita and Apriyani examine restitution procedures for children with disabilities and demonstrate the importance of accessibility when applying victim-protection mechanisms.[59] The source account does not provide a basis for concluding that any child in the present case had a disability; that characteristic is not imported by analogy. Dila, Firmanto, and El situate restitution within the larger process of recovering from child sexual exploitation.[60] Their approach clarifies why compensation may form part of redress but cannot substitute for proof of a specific victim's losses, recovery needs, or access to services.

Rendi, Fathonah, and Tamza propose reforms that would reduce the procedural burdens placed on child victims seeking restitution.[61] Simatupang and colleagues emphasize the distinction between a restitution entitlement and certainty that a payment obligation will ultimately be performed.[62] Neither proposition proves misconduct in the present case. In particular, without an authenticated restitution order or a separate determination, the alleged absence of restitution from the criminal judgment cannot be analyzed as a proven failure to execute an existing monetary award. The appropriate inquiry begins with the legal eligibility of victims, the available application procedures, and the evidence of steps actually taken.

A structured analysis of restitution therefore proceeds in five stages. First, it identifies the offense and the victim's eligibility under the applicable law. Second, it examines whether the victim was informed of the right to claim restitution and offered appropriate assistance. Third, it establishes whether an application was submitted, by whom, and at what procedural point. Fourth, it determines whether the alleged losses

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57 F. Attamimi and T. Tanudjaja, "Pemenuhan Hak Restitusi Bagi Anak Korban Kekerasan Seksual," *UNES Law Review* 6, no. 4 (2024): 12134–41.

58 K. D. Radjak and A. I. Sahabat, "Implementasi Perlindungan Hukum Terhadap Anak Korban Kekerasan Seksual: Tinjauan Dari Pemenuhan Restitusi Di Kabupaten Gorontalo Utara," *J-CEKI: Jurnal Cendekia Ilmiah* 3, no. 6 (2024): 5553–70.

59 M. H. Pradita and M. N. Apriyani, "Pelaksanaan Restitusi Terhadap Anak Penyandang Disabilitas Korban Kekerasan Seksual (Studi Di Pengadilan Negeri Kabupaten Madiun)," *Jurnal Hukum Lex Generalis* 5, no. 12 (2025), https://rewangrencang.com/ojs/index.php/JHLG/article/view/814.

60 M. D. P. Dila et al., "Peran Restitusi Dalam Proses Pemulihan Anak Korban Eksploitasi Seksual," *Keadilan* 24, no. 2 (2026): 713–27.

61 M. Rendi et al., "Reformulation of Restitution Arrangements for Children Who Become Victims of Sexual Violence Crimes to Realize the Best Interest of the Child," *Jurnal Mahasiswa Yustisi* 4, no. 2 (2026): 18–30.

62 B. H. Simatupang et al., "Hak Restitusi Bagi Anak Yang Menjadi Korban Tindak Pidana Kekerasan Seksual," *University of Bengkulu Law Journal* 8, no. 1 (2023): 68–78.

were documented and adjudicated in the judgment or in a separate decision. Fifth, it reviews the evidence of payment, enforcement, or subsequent procedures. This framework is not presented as a new statutory test; rather, it is the article's analytical synthesis for distinguishing a legal entitlement from an asserted claim, an adjudicated obligation, and a benefit actually received. Where a source is silent at a given stage, the legally sound conclusion is that the stage cannot be assessed from the available materials not that the victim necessarily waived the right or an official breached a duty.

4. CONCLUSION

The source manuscript describes a pattern of child victimization in which a defendant allegedly arranged recruitment through intermediaries, offered payments, and coordinated digital communications despite incarceration. The connection among these actions is more informative than treating the communications technology itself as the cause of exploitation. Children's involvement in contact or intermediary activities does not negate their entitlement to protection or establish equal bargaining power. Victimological analysis explains the possible relationship among access, vulnerability, and opportunity, but does not determine the liability of correctional personnel or verify unrecorded grooming stages. These case-specific findings remain subject to authentication of the underlying judicial decision.

Protection of child victims also requires analysis beyond imprisonment, fines, or the return of property. Indonesian child-protection, sexual-violence, and restitution legislation creates legal avenues for assistance, recovery, and claims for loss, subject to the applicable temporal and procedural rules. The source manuscript's account that the operative provisions omitted restitution supports only a limited proposition about the reported judgment; it does not establish that no request was made, that other proceedings were unavailable, or that payment never occurred. This article contributes a five-stage framework victim eligibility, notification, application, assessment and determination, and performance for identifying which aspect of restitution a particular record can substantiate. A definitive judgment-specific assessment requires the authenticated decision and relevant procedural files.

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