

Overview Of Criminal Law Against The Crime Of Law Of Minor Child (Case Study At Polres Wonosobo)

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Abstract.

The crime of obscenity is part of the crime against decency. Where obscene acts do not only occur in adults but also occur in minors. Either directly or indirectly, children who are victims of sexual abuse crimes experience various disturbances to themselves, both physical and non-physical, resulting from these events. In writing this thesis (the author discusses the problem of the factors that cause the occurrence of crimes of sexual abuse against minors and efforts to prevent and overcome them. Perpetrators of crimes of sexual abuse against minors in committing a crime are carried out in various ways to fulfil or achieve their sexual desires, not only children who are victims but children can sometimes become perpetrators of sexual abuse. The author concludes that the factors that can increase and influence the occurrence of criminal acts of sexual abuse against minors are environmental factors, cultural factors, economic factors, media factors, and psychological or psychological factors of the perpetrators.

Keywords: *Obscenity, Crime, and Children*

I. INTRODUCTION

This obscene act is a disgraceful act that violates societal norms, especially if the victims are minors who incidentally are the next generation who are vulnerable and fragile and can experience prolonged trauma (Annisa, 2014; Zuleha, 2015). criminal acts of decency, namely the classification are regulated in the Criminal Code (KUHP) in CHAPTER XIV Book II, starting from article 289 to article 296 of the Criminal Code, in article 289 of the Criminal Code regulates crimes against common decency, which is punishable by nine years in prison. Preventive and repressive efforts can also be done (Hadjon, 2008:2).The higher the value of civilization from time to time is certainly able to provide progress for human life, but it cannot be forgotten that on the other hand, the progress made will have a bad impact on humans if everything is not placed in the right place. The development of society is an ordinary and general social phenomenon and is a process of adjusting society to the progress of the times.

These developments bring tremendous impact that can be felt by all members of the community, including the demands of life.psychological and other development of the child. The psychological impact on children will give birth to prolonged trauma which can then give birth to unhealthy attitudes, such as inferiority, excessive fear, disturbed mental development, and ultimately mental retardation. This situation is likely to be a bad memory for the child victims of sexual abuse. The active role of law enforcement officers in tackling decency crimes is very much needed. The escalation of violence against children continues to increase every day, even though the Criminal Code (Kitab Undang-Undang Hukum Pidana) has contained legal rules regarding obscenity.The increasing number of crimes against children must be anticipated by effectively functioning criminal law instruments through law enforcement by seeking preventive and repressive measures against unlawful behaviour. This is the purpose of punishment as stated in the Draft Draft Criminal Code (KUHP) of 2008 Chapter III Article 51 paragraph (1), namely:

1. Preventing criminal acts by enforcing legal norms for the protection of the State and society.
2. Socializing convicts by providing guidance and guidance so that convicts are converted and make them as virtuous and useful members of society. Resolving conflicts caused by criminal acts, restoring balance and bringing a sense of peace in society.
3. Release the guilt of the convict.

The imposition of a criminal offense against the crime of sexual immorality against a minor, the judge should pay attention to the consequences arising from the existence of such an act, both psychological aspects and psychological aspects of the victim, so that in his decision it can satisfy the sense of justice for the victim and the community. Seeing this reality, criminal law should provide appropriate sanctions for the perpetrators of these crimes so that the rule of law is truly enforced and order is created in society.

Formulation of the problem

The rise of cases of sexual abuse committed by minors has attracted public attention. We cannot deny that minors can become perpetrators of sexual abuse due to the influence of the environment and bad associations and lack of supervision from parents. From the description of the background, the authors try to discuss the following problems:

1. What are the factors that lead to the occurrence of crimes against minors in Wonosobo?
2. What efforts have been made to prevent and tackle the crime of sexual abuse of minors?

II. METHODS

The research method used is the normative juridical method, namely by collecting data in the form of normative legal regulations, books, documents and opinions of scholars (doctrine) related to existing problems. The data used in this study are primary data and secondary data. The method of collecting data is through observation, documentation and interviews. The data obtained will be analyzed descriptively qualitatively, namely by describing and interpreting the data obtained based on norms, or rules and analyzing based on criminological studies that are relevant to the subject matter studied. The legal materials obtained will be discussed systematically in the research results, and then conclusions will be drawn based on the research results obtained,

III. RESULTS AND DISCUSSION

A. Overview of the crime of sexual abuse of minors.

1. Understanding of Criminology

The term criminology comes from English, namely criminology, which comes from Latin, namely from the word *crimen* which means criminal and *logos* which means knowledge. From this understanding it can be concluded that criminology means the science of crime or criminals. Criminology as a science began in the 19th century, in previous centuries there have been investigations and various theories that have emerged regarding criminology but have not been systematic and qualified as science because they are still based on intuition and lack of logic. explain the factors or aspects related to the presence of crime and answer the reasons why someone commits a crime. According to Sutherland (1960) what is included in the field of criminology are the processes of making laws, violations of these laws, and reactions to violations of these laws. Thus, the scope of criminology is closely related to legislation. law, in its manufacture, violation or reaction thereto. Criminology is a science that aims to investigate the symptoms of crime as widely as possible (theoretical or pure criminology). In criminological theory that crime is an individual phenomenon and that crime is a social phenomenon, are two concepts that must continue to be studied for validity.

2. Definition of Crime

In the study of criminology, the term crime is used which is defined as the following several definitions of crime: Crime is a name or stamp given by people to judge certain actions as evil deeds. Thus the perpetrator as a criminal. Criminal behavior can be done by anyone. Both women and men, can occur at the age of children, adults, or the elderly. The problem of crime is an eternal problem in human life, because it develops in line with the development of the level of human civilization. The history of the development of society since before, during, and after the Middle Ages has been marked and most of them have elements of violence as a phenomenon in the real world. Even the life of mankind in the 20th century is still marked by the existence of violence as an endless phenomenon, whether it is a phenomenon in an effort to achieve the goals of a particular group in society or individual goals. Crimes can be committed consciously, that is, they are thought out, planned, and directed at a certain purpose consciously. But it can also be done semi-consciously, for example driven by strong impulses, wracked by very strong compulsions (compulsions), and

by obsessions. Crimes can be committed unconsciously at all, for example, because they are forced to defend their lives, someone must fight and attack back, so that a murder occurs.

3. Understanding of Obscenity

Obscenity is an event that is currently in the spotlight, especially because nowadays there are many cases of sexual abuse committed by children. Children have very unique personalities, where children are able to act according to their own feelings, thoughts and desires. But, of course, the environment will also influence the personal development of the child. Therefore, every child has the right to get a proper place to grow, away from everything that has a negative effect on his personal development. According to experts in different definitions of obscenity, as stated by Soetandyo Wignjosuebrototo, obscenity is an attempt to vent sexual desire by a man against a woman in a manner according to morals and or the applicable law violates this opinion, meaning that obscenity on the one hand, it is an act or act of a man who vents his sexual desire against a woman which is immoral and prohibited by applicable law. R. Sughandhi in his assumption about sexual abuse is: "A man who forces a woman not his wife to have sexual intercourse with him with threats of violence, From the opinion of R. Sughandhi above, that the sexual abuse was a man who attempted to coerce and threaten and have sexual violence against a woman who is not his wife and from this intercourse resulted in the discharge of a man's semen.

So the elements are not only violence and intercourse, but there are other elements, namely the element of semen release, which means that a man has completed his perbutan to completion, if a man does not release semen, it cannot be categorized as sexual abuse. Assumptions that disagree in terms of defining obscenity do not take into account whether or not the element regarding the release of semen is stated by PAF Lamintang and Djisman Samosir who argue "Rape is the act of a person who by force or threat of violence forces a woman to have sexual intercourse outside the marriage bond. with himself" From this opinion, this proves that the existence of violence and threats of violence by being killed, injured, or deprived of other human rights are part of making it easier to have intercourse. The application of criminal sanctions against perpetrators of criminal acts of obscenity is not only applied to adults, but is also applied to children who are perpetrators of criminal acts of obscenity. The definition of children can be found in the Law of the Republic of Indonesia Number 35 of 2014 concerning Child Protection (abbreviated as UUPA). Article 1 point 1 of the UUPA provides an understanding of a child as someone who is not yet 18 (eighteen) years old, including those who are still in the womb.

4. Understanding Minors

The term underage in this case is equated with the term child. The definition of a child according to the Indonesian dictionary which can be concluded is the second offspring which means from a man and a woman who gives birth to offspring, where the offspring are biologically derived from male egg cells. a man who then breeds in a woman's womb in the form of a womb and then the woman in time will give birth to her offspring. Children are social creatures, this is the same as adults, children cannot grow and develop on their own without the presence of other people, because children are born with all the weaknesses so that without other people it is impossible for children to reach a normal level of humanity. We must take care of and protect children, because:

1. Children have a special nature and characteristics.
2. Children are the potential for future development of the nation.
3. Children cannot protect themselves from mistreatment from others

Children are shoots, sources of potential and the younger generation who will continue the struggle for the ideals of the nation in the future, therefore we must protect and protect them from bad deeds or as victims of someone's bad deeds. In imposing criminal sanctions on children in conflict with the law, including children who commit crimes of sexual abuse, the judge is obliged to pay attention to the needs of the child, especially his rights as a child. Based on the Convention on the Rights of the Child, children's rights can generally be grouped into 4 (four) categories, including:

1. The right to survival (The Right To Survival), namely the rights to preserve and maintain life (The Right of Live) and the right to obtain the highest standard of health and the best possible care.

2. The right to protection (Protections Rights), namely the rights in the convention on children's rights which include the right to protection from discrimination, acts of violence and neglect for children who do not have families for refugee children.
3. The right to growth and development (Development Rights), namely the rights of children in the Convention on the Rights of the Child which includes all forms of education (formal and non-formal) and the right to achieve an adequate standard of living for the child's physical, mental, spiritual, moral and social development (the rights of standard of living).
4. The right to participate (Participation Rights), namely the rights of children which include the right to express opinions in all matters affecting the child (the rights of a child to express her/his views freely in all matters affecting the child).

Meanwhile, in the Criminal Code (KUHP) it is emphasized that a person can be held accountable for his actions because of the self-awareness of the person concerned and he has also understood that the act is prohibited according to applicable law. Article 82 paragraph (1) UUPA, there is no reason to abolish the punishment for the child and is able to take responsibility (physically and mentally healthy). However, the judge must still consider that the child is in conflict with the law, the background of the crime and the values of justice, the judge can give sanctions in the form of action to the child in conflict with the law.

The form of action sanctions given to Children in Conflict with the Law, among others:

- a) Return to parent/guardian
- b) Submission to someone
- c) Treatment in a mental hospital
- d) Treatment at LPKS
- e) Obligation to attend formal education
- f) training held by the government or private bodies
- g) Revocation of driving license
- h) Correction of the consequences of a criminal act.

B. Factors that cause an increase in crimes of sexual abuse against minors in Wonosobo.

In terms of knowing the factors that cause the occurrence of crimes of sexual abuse against minors, it can be started by knowing the increase, the relationship of the perpetrators to the modus operandi of cases of sexual abuse of minors, in this case the Indonesian National Commission for Child Protection relating to protection issues. children, determine three types of violence against children which are classified as crimes that disturb children and the community, which include physical violence, sexual violence and psychological violence. Perpetrators of crimes of sexual abuse against minors in committing a crime are carried out in various ways to fulfill or achieve their sexual desires, not only children who are victims but children can sometimes become perpetrators of sexual abuse. For perpetrators of sexual abuse against minors, this is often referred to as pedophilia, which is a term from psychology, namely phedophile, which means that it can be concluded that sexual desires are vent to children. against minors. The causes of this phedophilia disease are very varied, some are in the form of trauma as a child due to being sodomized or disliked by adults but preferring underage children in terms of sexual relations.

1. Gender Factor

Gender is also a factor that causes a criminal act to occur in minors. Paul W. Tappan (Ria Juliana and Ridwan Arifin, 2019) stated that the delinquency of a child can be carried out by a boy or a girl, although in general the number of boys commits more crimes than girls. However, this does not mean that a girl cannot commit a crime. In fact, in general, both women and men continue to commit crimes with their respective goals. Basically the crimes committed by many men are theft, robbery, molestation, murder, rape and so on. While the violation committed by a woman is an act of violating general rules.

2. Family Factor

The family is an environment that is considered very close to the child, for that the first place for character formation is found in the family itself. Broken homes cause most children to do delinquency, especially because of divorce or parental separation which greatly affects the development of the child's

growth and in the broken home itself there are things that cause why the family is no longer complete, including:

- a. One of the child's parents or even both have died
- b. Divorce from parents
- c. One of the two parents was not present continuously for quite a long time (Ria Juliana and Ridwan Arifin, 2019). From the results of the author's interview (interview on December 2, 2019 at 10.00 am) with Ar, MA and AP that their parents are divorced (while AP's parents are not divorced but do not live at home).

3. Educational Factor

The low level of formal education in a person can have an impact on society and the person concerned is easily influenced to commit a crime without thinking about the consequences of his actions. Due to lack of understanding of the rules and the impact of actions that result in the perpetrator violating the norm. Based on the results of a search on two perpetrators whose education level is only limited to junior high school, that is basically according to their statement, "they committed the crime of obscenity due to ignorance of the rules and the consequences, besides that according to Ar. that at the time I committed sexual immorality to the victim I was drunk after drinking with my friends; another case with the MA's confession, that apart from that, he does not know that there are regulations that prohibit and involve groping and squeezing children's vital organs; because I often watch porn on my friends' cellphones, as a result, I always imagine and fantasize about these actions and finally I tried these actions on my neighbor who was just in the second grade of elementary school by giving candy and persuading him to promise pocket money to the victim". that the problem of education as a trigger for the problem of criminal acts of obscenity does not only apply to child perpetrators but most of the perpetrators of obscenity (both adult perpetrators) because low education causes a lack of insight and understanding of the rules so that in committing the crime of obscenity they do not know the impact of their actions.

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4. Environmental factor

The social environment or a person's place of residence (a person's place of life/activities) has a lot of influence in shaping behavior, if the person is in a good social environment it will form a good social attitude to that person, but if the person's place of residence is in an unfavorable environment. (criminal), then it is possible that the dominant nature of the person is not good, therefore the influence of a person's socialization will not be separated from the influence of the environment; This is in line with the opinion of WA Bonger (D. Soejono, 1996: 42) in addition to internal factors that come from personal, external factors, one of which is the environment, has a great influence in determining crimes that can occur. The influence of the environment will determine how a person will be, whether he will be a bad person or a good person. The factors causing the crime of sexual abuse in Wonosobo Regency are related to environmental factors in line with the theory of Sub Culture in criminology where environmental factors provide opportunities and the social environment (gang) that provides examples of the occurrence of a crime. One of the figures who greatly influenced this theory was Soloman Kobrin, where Kobrin examined the relationship between street gangs and boys from lower classes of society (Made Darma Weda, 1995: 35).

5. Factors of Alcoholic Drinks

The influence of alcohol is very dangerous because it causes a loss of restraint from the drinker. Based on the results of an interview with an AP perpetrator who is 17 years old (interview on December 11, 2020 at 10.15 WIB) that he sexually abused his female friend who was still 14 years old. According to his confession, the molestation occurred because he was under the influence of alcohol. The obscenity was carried out by the perpetrator inviting the victim to go to his friend's boarding house, upon arrival at the boarding house the perpetrator drank liquor and forced the victim to drink it too, besides that the perpetrator also persuaded the victim to commit an obscene act, if the victim did not want the perpetrator would be angry and say that the victim doesn't love him anymore. When the perpetrator and the victim are not aware because they are both under the influence of liquor (drunk), then the perpetrator easily commits obscene acts and the victim is willing to do so; So it can be concluded that liquor is very influential on the occurrence of a criminal act in general, including obscenity, because those who are under the influence of liquor become unaware of the actions they have committed.

Factors that cause crime in this study A person can do things without realizing it and what he does can harm and even damage others, such as fighting while drinking alcohol, this statement is in accordance with the opinion of Baron and Bryne (Harlin Bertha Putri, 2018) this idea supported by the fact that bars and nightclubs are often places of violence. Then the statement was strengthened by the statement put forward by Joewana, that consuming alcoholic beverages causes many changes, when drunk individuals are unable to control themselves so that they do things that are contrary to , alcoholic beverages are also considered as a medium to stimulate self-courage. in some cases of obscenity, including those committed by adults, the condition of the perpetrator when committing a crime was in a state of consuming alcoholic beverages, some were even in a drunken state by forcing and threatening and one thing that needs to be known is that almost most of the victims (children) that the perpetrators of obscenity are stranger to the victim.

6. Technological Factor

The existence of technological developments certainly has an impact on life. The influence includes two sides, namely the positive influence and the negative influence. As for the negative impacts caused by the influence of technology, such as the confession of a convict, namely FP, a high school student (interview on December 12, 2020 at 09.30 WIB) according to a confession from FP that he committed obscenity because he often watched pornographic videos on his cellphone. The porn video he got from his friends at school. After he watched the pornographic video, it aroused his curiosity and wanted to try so that there was sexual abuse of the child or the victim who was known to be his neighbor who often went to the perpetrator's house.

which is no less important than some of the factors mentioned above is technology, the rapid development of technology, especially digital technology such as mobile phones which is supported by an internet network that has been reached to various corners, making it easier for a child to access various information to get something he wants. He further explained that technological developments also bring information to the entire community, including the younger generation, about the lifestyles of western countries and other developed countries that deviate far from the ethical and cultural patterns of the Indonesian nation which still recognizes the norms in society. The impact of globalization has greatly affected the lifestyle of the younger generation. Information received and not filtered will lead to narrow thinking and not be creative, so that this narrow mindset causes bad behavior that can be brought into the community, this bad behavior will take the form of a criminal act, one of which is obscenity.

C. Crime Prevention and Control Efforts

1. Pre-emptive countermeasures

What is meant by Pre-emptive countermeasures are the initial efforts taken by the police to provide prevention of crime so that it is commonly referred to as early prevention. Efforts made in pre-emptive countermeasures are to instill good values / norms ± norms so that these norms are internalized in a person, even though there is an opportunity to commit a crime / violation but there is no intention to commit a crime / violation.

2. Preventive countermeasures

What is meant by preventive countermeasures is a follow-up to pre-emptive efforts aimed at preventing, reducing and eliminating crime. In this effort the emphasis is on eliminating opportunities for crime to be committed.

3. Repressive Countermeasures

What is meant by repressive countermeasures are the efforts made by the apparatus after the occurrence of a crime, such as taking action against the perpetrators according to their actions and correcting them again so that they are aware that the actions they have taken are unlawful and detrimental to society, so that they return to society and not commit crimes again. Prevention and control of crime is a struggle of the State and the Indonesian people in realizing the ideals of development, namely creating a just and prosperous society that is materially and spiritually evenly distributed based on Pancasila and the Constitution of the Republic of Indonesia.

The purpose of crime prevention efforts throughout Indonesia is to cover human development as an Indonesian society where the problem of crime is a human problem which is a social reality, which causes causes whose essence is often poorly understood because they do not see the problem according to the actual proportions. The development of increasing and decreasing the quality and quantity of crime is a relative cause, because developments in humans can be influenced by various factors to commit criminal behavior and criminal behavior can affect humans and the surrounding environment. In connection with this, it is necessary to prevent and overcome crime that must be done so that humans in social life can avoid negative influences, especially in the influence of criminal behavior (criminal) and other deviations can be an effort to create mental, physical and social welfare. somebody.

4. Efforts to Combat the Crime of Obscenity Against Minors.

Efforts to tackle the crime of molestation against minors can be done in two ways, namely prevention and mitigation if the crime of sexual abuse against minors has already occurred, these efforts can be carried out which include the following:

A. Precautions

To overcome a crime can be done with prevention efforts or in other words prevention is better than treating what has happened, in connection with the discussion of this thesis means an effort to prevent the occurrence of crimes of sexual immorality against minors which is a heinous and immoral act. Preventive measures are pursued which aim to reduce criminal acts, especially obscenity to minors and also an effort to protect children who are indeed very vulnerable to becoming victims of sexual abuse, because children are the nation's youth, are the next generation in development. nation and state. Children must get protection from disturbances in the form of mistreatment of children.

If it is not protected, then children as the nation's generation can experience destruction, it is more worrying if children become victims of sexual abuse crimes, then the creativity, will, and talent of a child are destroyed in developing thinking and growth and development through a trial and error process, so that the younger generation will experience obstacles and in the end will overall hamper the process of national regeneration. From the details of efforts to prevent the occurrence of crimes of obscenity against minors above, it is a form to prevent vile and immoral acts whose victims are directed at children, especially cases of obscenity that afflict minors or in other words better prevent rather than tackling. Preventing these acts is a form of protecting children from becoming victims of crime. Child protection is an effort that provides a condition in which every child can carry out his rights and obligations, thus we are obliged to seek child protection in accordance with the ability to protect children from mistreatment directed at children, in the interests of children's growth and development as well as the interests of the nation and state. Country.

B. Countermeasures in the event of a crime of obscenity against minors.

If all levels of society along with the government and law enforcement have made efforts to prevent the occurrence of crimes of sexual abuse against minors by implementing preventive measures, but the unexpected event or action still occurs, then countermeasures must be taken to resolve and resolve it thoroughly. cases that have already occurred. In the settlement of cases of abuse that befell minors, although the cases have been legally processed, other problems remain, such as the impact of the abuse on children

and their families, because they feel that the justice they expect has not been fully fulfilled. . Sometimes the punishment for the perpetrator is not in accordance with the actions of the perpetrator. Therefore, law enforcement officers are expected to work as optimally as possible, so that law enforcement can be realized as expected by all levels of society. The legal process for perpetrators of crimes against minors is one step in tackling crimes, especially crimes of sexual abuse against minors that have occurred. Which is where the legal process must run efficiently in order to achieve a law enforcement that is expected by all levels of society, especially victims and their families. From the details above, are steps aimed at tackling the crime of molestation against minors which are divided into several steps, namely prevention steps and steps to overcome if there is a crime of obscenity against minors that can be carried out by families, communities and their families. government. Wonosobo Resort Police Efforts in Overcoming the Occurrence of the Crime of Child Abuse in the Kab.

Wonosobo The Wonosobo Resort Police's efforts based on the explanation of AKP Zainudin, Kasat Binmas Wonosobo Police (interview, December 16, 2020 at 10:00 am) in overcoming crimes in general and crimes of sexual abuse by children in particular are:

1. Preemptively

In terms of this pre-emptive prevention, the Banggai Resort police is trying to instill moral values or ethical and religious norms by holding Spiritual and Mental Guidance activities in social and religious activities at public meeting places and homes. Worship, for students is carried out in schools and in student activities such as scouting. The police cooperate with elements of the community, teachers and school principals as well as religious leaders in Wonosobo Regency in order to increase self-awareness of the importance of applying ethical, moral and religious values in social life for the younger generation, it is hoped that by understanding the values or norms -good ethical, moral and religious norms,

2. Preventively

This Preventive Action is carried out by the Wonosobo Police Resort in the form of cooperation with the school at certain times carrying out inspections and conducting counseling in various aspects of the school as well as carrying out routine patrols in certain places. where school children gather after school a lot and places that are considered prone to crime in general, in addition to placing security personnel at crowded events such as music performances etc. the use of sharp weapons in order to minimize juvenile delinquency (brawls between students), abuse of narcotics among students in order to prevent sexual abuse.

3. Repressively

The last action taken by the Banggai Resort Police is the law enforcement process by carrying out the process in accordance with the police's authority in dealing with a crime (the process of investigation and further investigation is delegated to the Prosecutor as the Public Prosecutor). The purpose of crime prevention efforts throughout Indonesia is to cover human development as an Indonesian society where the problem of crime is a human problem which is a social reality, which causes causes whose essence is often poorly understood because they do not see the problem according to the actual proportions.

stated that until now the prevention of repressive child molestation is carried out through the following actions:

1. Receive reports on the occurrence of criminal acts of child molestation which are followed up by conducting an investigation to the scene of the case to determine whether or not an investigation can be carried out.

2. After it is determined that an investigation is carried out, a search for evidence is carried out, examination of witnesses or victims who directly experienced the abuse. Then the suspect is determined based on the evidence found and statements from witnesses or victims.

3. After being determined, the suspect is arrested and if there is sufficient evidence (witness testimony and visum et repertum) the detention is carried out for 20 days and can be extended for 40 days. After 40 days it was transferred to the prosecutor's office.

4. Mediation can be carried out by the perpetrator with the victim's parents, but the process at the police continues. Mediation is carried out in good faith from the perpetrator to the victim, in order to lighten the sentence in court.

IV. CONCLUSION AND SUGGESTION

Conclusion

Efforts to overcome child molestation are carried out in two ways, namely repressive by taking action against perpetrators of child molestation according to applicable law. Furthermore, preventive efforts that are operational in nature are carried out by raiding porn videos and preventive ones that are guidance in nature are carried out with counseling to schools.

Based on the discussion of all the material described regarding the issues raised regarding the Criminological Review of the Crime of Obscenity Against Minors, the following conclusions can be drawn:

1. Factors that can increase and influence the occurrence of criminal acts of sexual abuse against minors are environmental factors, cultural factors, economic factors, media factors, and psychological or psychological factors of the perpetrators.

2. Efforts to combat the crime of obscenity against minors are increasing security in the surrounding environment, fixing facilities and facilities in the surrounding environment, repairing areas that are relative to crime, eradicating films and readings containing pornographic elements, active participation or participation of religious and community leaders, the community must be more intensive in responding to and filtering out foreign or new cultures that contain negative elements and which can damage morals, in terms of domestic or family life, such as the relationship between parents and children, it should remain efficient.

Suggestion

The suggestions that the author gives in terms of rape crimes against minors are as follows:

1. Improving mentality, morality, as well as faith and devotion to oneself which aims to have strong self-control so that it is not easily tempted to do something bad, and also to prevent being able to avoid bad thoughts and intentions in their hearts and minds.

2. The government should be able to eradicate films or literature containing pornographic elements because this is where the rape of minors takes root, if this is done it can at least prevent or reduce the increase in crimes of sexual abuse against minors.

3. Law enforcers such as the police, prosecutors and judiciary in taking action against perpetrators to be more focused and sharp in accordance with what the perpetrators have done to their victims, and prioritize the rights of children as victims of rape.

REFERENCES

- [1] JE Sahetapy, 1981, *Violent Crime An Interdisciplinary Approach*, cet. I, Sinar Wijaya, Surabaya.
- [2] Moch. Anwar, 1982, *Criminal Law Special Section (KUHP Book II) Volume 2*, Alumni, Bandung.
- [3] Moeljatno, 2003, *Criminal Code (KUHP)*, Bumi Aksara, Jakarta. Peter Mahmud Marzuki, 2008, *Legal Research*, Fourth Edition, Kencana Prenada Media Group, Jakarta.
- [4] Abdul Manan. 2005. *Law Changing Aspects*. Jakarta: Kencana Prenada Media
- [5] Abdul Razaq Husayn. 1992. *Islam wa Tiflu*, Translated by Azwir Butun. *Children's Rights in Islam*, Jakarta: Fika Hati Aniska
- [6] Ali Yuswandi. 1995. *Prosecution, Abolition of Authority to Prosecute and Execute Criminal Law*. Jakarta: CV. Jaya Science Guidelines.
- [7] Arief Gosita, *Problems with crime victims*: Trisakti University, Jakarta, 2009. Irsan, Koesparmono, *Child Protection Law*, Faculty of Law, National Veterans Development University Jakarta, Jakarta, 2007.
- [8] Mulyana W Kusuma, *Criminology and Crime Problems*, Armico, Bandung 1984.
- [9] Rena Yulia, *Victimology of Legal Protection Against Victims of Crime*, Graha, Yogyakarta, 2010. Romli Atmasasmita, *Criminology Selecta theory and capita*, PT Refika Aditama, Bandung, 1992.
- [10] US Nature. 2010. *Introduction to Criminology*. Makassar, Reflection Library.
- [11] Gurian, Michael, *The Wonder of Boys: How to Raise Boys to Become Real Men*, Jakarta: Serambi, 1996.
- [12] Law Number 23 of 2002 concerning Child Protection Book of the Criminal Code (KUHP) Criminal Procedure Code (KUHP).