



# The Effectiveness of Restitution Rights for Child Victims of Domestic Violence in Indonesia under the CRC

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## **Abstract:**

*This study discusses the effectiveness of the implementation of restitution rights for children who are victims of domestic violence (DV) in Indonesia within the framework of the Convention on the Rights of the Child. Restitution, as a form of victim's rights recovery, is explicitly regulated in various national laws and regulations, yet its implementation still faces significant challenges on the ground. The research method used is normative juridical with a qualitative descriptive approach, through analysis of regulations, legal doctrines, and case studies of court rulings. The results of the study indicate that restitution plays a vital role in the physical, psychological, and social recovery of children who are victims of DV, while also emphasizing the responsibility of perpetrators for their actions. However, the implementation of restitution rights is still hindered by a lack of understanding among law enforcement officials, bureaucratic complexities, insufficient victim support, and obstacles faced by perpetrators in fulfilling their payment obligations. To address these issues, strengthening regulations, improving the capacity of officials, optimizing the role of child protection institutions, and fostering cross-sector collaboration are necessary to ensure that restitution rights become an integral part of the protection and recovery of child victims of DV in Indonesia.*

**Keywords:** Restitution; Children Victims of DV; Legal Protection.

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## Introduction

Every child is born with inherent basic rights that are present from the moment they enter the world. The right to grow and develop, the right to protection, and the right to live in a safe and loving environment are part of human rights that must be guaranteed by the state, family, and society. However, the reality in Indonesia still reveals a sad irony: many children become victims of violence in their closest environment, which is the family. Domestic violence (DV) against children not

only harms the body but also robs their future and hope (Aminah and Rafsanjani 2023).

The phenomenon of DV against children in Indonesia is a highly complex social and legal issue. According to data from the Indonesian Child Protection Commission (KPAI) and various child protection institutions, cases of child abuse, especially in domestic settings, tend to increase year by year. Children who should receive protection and affection instead become victims of physical, psychological, and even sexual violence by those closest to them, such as parents, siblings, or caregivers. Many of them are unable to speak out, either due to fear, ignorance, or pressure from their surroundings (Yanti 2019).

Each story of a child victim of DV is a story of loss: the loss of safety, the loss of trust, and even the loss of their future. Physical wounds may heal over time, but emotional scars and psychological trauma often persist for a lifetime. Children who are victims of DV often experience developmental disorders, learning difficulties, depression, and tendencies to commit violence later in life. This unbroken cycle of violence poses a serious threat to the quality of the nation's future generations (Ciputra 2022).

In the face of this situation, the state has a significant responsibility to provide protection and ensure real support for child victims of DV. Effective legal protection is not only about punishing the perpetrators but also ensuring the recovery of the victims' rights, including the right to restitution. Restitution is the victim's right to receive compensation for the harm caused by the perpetrator, whether material or immaterial. In the case of children who are victims of DV, restitution is not just about money, but also an acknowledgment of the suffering they have endured and an effort to restore their dignity and humanity (Siahaan and Suherman 2024).

Restitution for child victims of DV is crucial because it can provide a new hope for the victims to continue their lives. Restitution can be used for medical costs, psychological recovery, education, and other needs that support the child's recovery process. More than that, restitution is a tangible form of justice that favors the victim, not just the perpetrator. In modern criminal justice systems, a victim-oriented

approach to justice is crucial to restore the balance of justice that has often been neglected (Riupassa, Maramba, and Indah 2024).

Indonesia's commitment to child protection has been manifested through the ratification of the Convention on the Rights of the Child (CRC) in 1990. This Convention affirms that every child has the right to protection from all forms of violence and the right to recovery, including compensation and restitution. The implementation of the CRC in the national legal system is reflected in various regulations, such as Law No. 23 of 2002 in conjunction with Law No. 35 of 2014 on Child Protection, Law No. 23 of 2004 on the Elimination of Domestic Violence, and Government Regulation No. 43 of 2017 on the Implementation of Restitution for Children Victims of Crime (Berliani 2024).

Normatively, the right to restitution for child victims of DV has been clearly regulated. Article 71D of the Child Protection Law states that every child victim of a crime is entitled to claim restitution from the perpetrator. The procedure for claiming and implementing restitution has also been regulated in Government Regulation No. 43 of 2017, including compensation for the loss of property, suffering, medical and psychological care, and other losses resulting from criminal acts (Ardin and Harefa 2021). Law enforcement officials, from investigators to prosecutors and judges, have the obligation to inform victims of their restitution rights during the judicial process.

Unfortunately, the reality on the ground often does not align with what is stipulated in the regulations. The implementation of restitution rights for child victims of DV in Indonesia still faces numerous challenges. Many law enforcement officials still do not fully understand the importance of restitution as part of victim recovery. The focus of law enforcement is often on punishing the perpetrator, while the victim's rights, including restitution, are frequently overlooked. Many cases exist where child victims and their families do not receive adequate information about restitution rights, or even worse, they are unaware that they are entitled to restitution (Arifirman 2023).

Furthermore, the process of claiming restitution is often perceived as bureaucratic and complicated, making it difficult for victims, especially children, who are already in a vulnerable psychological and social position. Many victims lack

adequate legal or psychosocial support and, therefore, cannot fully advocate for their rights. On the other hand, the implementation of restitution orders is often hindered by the perpetrator's inability to pay compensation, leaving the victim with only a court order that has not been realized in practice. Supervision of the implementation of restitution orders is also very weak.

Moreover, Indonesia's legal culture also affects the effectiveness of restitution rights implementation. Many people still view restitution as a secondary issue, or even taboo to discuss, considering it as "blood money" or "peace money." However, in the perspective of restorative justice, as mandated by the Convention on the Rights of the Child and other international instruments, restitution is a fundamental right of the victim that must be fulfilled promptly and effectively. Countries that have adopted a victim-oriented justice approach place restitution as an integral part of the victim recovery process, using simple, accessible mechanisms integrated with psychosocial support services (Wahid 2020).

These challenges indicate that the effectiveness of implementing restitution rights for child victims of DV in Indonesia still needs to be seriously reviewed and improved. Multidisciplinary and cross-sector efforts are required to strengthen the child protection system, from regulatory aspects, capacity-building for law enforcement officials, to strengthening support institutions and victim recovery services. The state must ensure that every child victim of DV truly receives restitution rights in practice, not just as a promise on paper (Lubis 2020).

Increasing the capacity and understanding of law enforcement officials is an essential first step. Continuous training, socialization, and integration of restitution material into legal education curricula should be implemented. Existing regulations also need to be improved to simplify the restitution application and implementation procedures, making them quicker and more victim-friendly. Strengthening child protection institutions and psychosocial support services is crucial so that child victims can fully access their rights, including in the restitution application and realization process (Parapaga 2024).

Additionally, a strict monitoring and evaluation mechanism is needed for the implementation of restitution orders, whether by courts, prosecutors, or child

protection agencies. Collaboration between the government, law enforcement agencies, NGOs, and the wider community is crucial to create a comprehensive and just child protection ecosystem (Jamaludin 2021). Restitution should not be viewed solely as material compensation but as a form of national acknowledgment of the victim's suffering and a concrete effort to restore the child's dignity as a fully human being.

Research on the effectiveness of implementing restitution rights for child victims of DV within the framework of the Convention on the Rights of the Child is therefore highly relevant. This research aims not only to identify the obstacles and challenges faced in the implementation of restitution rights but also to offer concrete solutions that can strengthen legal protection and holistic recovery for child victims (E. Y. Pratama, Rochaeti, and Lumbanraja 2022). By examining the effectiveness of restitution implementation from regulatory, judicial, and social support perspectives, this research is expected to contribute significantly to the development of a more humane, just, and civilized juvenile criminal justice system.

Furthermore, this research is expected to serve as a reflection for all parties, that child protection is not only the responsibility of the state or law enforcement agencies, but also the collective responsibility of all elements of society. Every child who becomes a victim of DV deserves justice and proper recovery so that they can grow and develop into a healthy, happy, and empowered generation. The effectiveness of implementing restitution rights for child victims of DV in Indonesia within the framework of the Convention on the Rights of the Child is not only an indicator of the success of the national legal system but also a reflection of the nation's commitment to upholding social justice and human rights for all citizens, especially vulnerable groups such as children victims of violence (Antoni, Hosnah, and Simanjuntak 2024).

Therefore, it is time for all components of the nation to work together to ensure that restitution rights for child victims of DV are implemented effectively, justly, and humanely. Only then can we create an Indonesia that is child-friendly, free from violence, and upholding human values and justice for all.



## Method

This study uses a normative juridical method with a qualitative descriptive approach to analyze the effectiveness of the implementation of restitution rights for children who are victims of domestic violence (DV) in Indonesia within the framework of the Convention on the Rights of the Child. The primary data is obtained through a literature study of regulations, legal doctrines, court decisions, and related legal documents that govern restitution for children victims of domestic violence. In addition, this research also involves an analysis of scientific literature and previous research findings to enrich perspectives and delve into the challenges and solutions for the implementation of restitution rights. The analysis technique is conducted qualitatively and descriptively, with the aim of describing the actual situation on the ground, evaluating the effectiveness of existing laws, and formulating recommendations for strengthening legal protection for child victims of DV in Indonesia (Ali 2021).

## Regulations and Objectives of Restitution Rights for Child Victims of Domestic Violence

The restitution rights for children who are victims of domestic violence (DV) in Indonesia are one of the key pillars in the child protection system, aimed at restoring the dignity, honor, and future of children whose lives have been disrupted by criminal acts. The regulation of these restitution rights is clearly and comprehensively stated in various laws, such as Article 71D of Law No. 35 of 2014 on Child Protection, Government Regulation No. 43 of 2017 on the Implementation of Restitution for Children Victims of Crime, and the provisions in the Indonesian Criminal Procedure Code (KUHAP) that provide mechanisms for combining claims for compensation in criminal cases (Cahyaningrum and Widowaty 2025). In this context, restitution is defined as compensation payments charged to the perpetrator based on a final and binding court decision for material and/or immaterial losses suffered by the victim or their heirs. This restitution right is not only for children who are victims of DV but also for children who are in conflict with the law, children exploited economically or sexually, victims of pornography, kidnapping, trafficking, physical or psychological violence, and sexual crimes (Asya 2025).

Restitution for child victims of DV includes various forms of compensation, both material and immaterial. Material losses include compensation for the loss of property, medical expenses, educational expenses, rehabilitation costs, and other living expenses impacted by the criminal act. Meanwhile, immaterial losses encompass physical suffering, psychological distress, loss of safety, prolonged trauma, and the social impacts experienced by the child victim. In many cases, restitution also includes compensation for genital recovery, educational assistance, rent for shelter, and psychological care, as reflected in court decisions such as the Padang District Court Decision No. 327/Pid.Sus/2019/PN.PDG, where the judge ordered restitution for the victim amounting to IDR 50,000,000 to cover various recovery needs.

The restitution claim can be filed by the victim themselves, parents or guardians, heirs, or authorized parties such as the Witness and Victim Protection Agency (LPSK), Legal Aid Institutions, or child protection agencies. The restitution request is submitted to the investigator, public prosecutor, or judge handling the criminal case and must be accompanied by supporting documents, such as a copy of the victim's identity, proof of loss, and a power of attorney if the claim is made by another party. During the investigation phase, investigators are required to inform the victim of their restitution rights and how to file the claim, and the victim has a maximum of three days to submit the restitution request after receiving the notice. The restitution amount will then be assessed based on the real losses suffered by the victim, both material and immaterial, considering the principle of *restitutio in integrum*, which means restoring the victim to their original state before the criminal act occurred (Sari 2022).

The final and binding court decision serves as the basis for implementing restitution. In practice, LPSK plays a crucial role in assessing the restitution amount and accompanying the victim throughout the legal process, including in handling administrative matters and fulfilling the victim's rights. If the perpetrator is unable to pay, the state can take certain steps to ensure the victim's rights are still fulfilled, such as seizing the perpetrator's assets as collateral or providing compensation from the state through victim assistance funds. Under Law No. 12 of 2022 on Sexual Violence Crimes, it is even stipulated that if the perpetrator fails to pay restitution

by the designated deadline, the victim can notify the court, and the perpetrator may face alternative imprisonment penalties (Tukly, Wadjo, and Taufik 2023).

The primary objective of this restitution right is to fully restore the victim's condition physically, psychologically, and socially. Restitution is expected to help the victim overcome trauma, regain their rights, and continue their life in a better condition (Capah and Fikri 2023). In the case of children, restitution becomes crucial as they are the most vulnerable group and lack the ability to independently advocate for their rights. Restitution is also an important tool in achieving victim-oriented justice. Until now, the criminal justice system in Indonesia has been largely focused on punishing the perpetrators, while the victims' rights, including restitution, have often been neglected. With the restitution mechanism, the state seeks to affirm that victim recovery is an integral part of justice. Restitution also sends a strong message to the perpetrators that every act of violence has legal and social consequences that must be accountable for.

The restitution approach in the case of child victims of DV aligns with the principles of restorative justice, which places the victim's recovery as the primary goal of the legal process, rather than just punishing the perpetrator. In this context, restitution becomes a means to repair the damage that has been done, restore social relationships, and bring justice back into balance in society. Restorative justice also involves active participation from the victim, perpetrator, family, and community in the recovery process. Restitution serves as a dialogue platform between the victim and the perpetrator, where the perpetrator is expected to realize their wrongdoing and take responsibility for correcting the harm caused. Therefore, restitution functions not only as compensation but also as an educational and resocialization tool for the perpetrator's reintegration into society (Putra and Widodo 2024).

Although the legal provisions regarding restitution are quite comprehensive, implementation on the ground still faces several challenges. One of the main obstacles is the low understanding among law enforcement officials and society about the importance of restitution for child victims. Many law enforcement officials are still focused on punishing the perpetrators, while the victims' rights, including restitution, are often overlooked or not processed optimally. The restitution



application procedure is also considered to be bureaucratic and complicated, making it difficult for victims and their families, especially children who are psychologically and socially vulnerable. Furthermore, the implementation of restitution orders is often hindered by the perpetrator's inability to pay compensation, weak enforcement supervision, and lack of support for victims during the legal process. LPSK and child protection agencies play a strategic role in assisting and ensuring that the restitution rights of child victims are met, but the capacity and resources of these institutions are still limited.

Restitution for child victims of DV should not be seen merely as an administrative matter or legal formality. Children who are victims of violence need real support, both legally, psychologically, and socially. The state, law enforcement officials, and society must have strong empathy and bias in favor of the victims. Restitution must be part of a comprehensive recovery effort, including counseling, rehabilitation, education, and social reintegration for the child victims. It is essential to place the best interests of the child as the main principle in every legal process involving child victims. The restitution application and implementation process must be made simple, fast, and victim-oriented. Child victims must be accompanied by parents, guardians, or professional supporters who understand the psychological and legal needs of children. Moreover, education and socialization about restitution rights should be continuously carried out so that the public and law enforcement officials better understand the importance of victim recovery (Aurathtri et al. 2022).

The state has a constitutional and moral responsibility to protect children from all forms of violence and provide adequate recovery for the victims. Restitution is one of the tangible forms of the state's responsibility in upholding children's human rights. By providing restitution, the state not only fulfills its legal obligation but also demonstrates its commitment to restoring the dignity and future of child victims of DV. In practice, the state must ensure that the restitution mechanism runs effectively, from the application process, loss assessment, to the implementation of court decisions (Siregar and Sihombing 2020). Collaboration between the government, law enforcement agencies, child protection institutions, and society is crucial to creating a comprehensive and just child protection ecosystem.

Several court decisions have granted restitution claims for child victims of DV and sexual violence, such as in cases No. 33/Pid.Sus/2023/PN Btl and No. 112/Pid.Sus/2022/PN.Bnr, where judges considered the victim's suffering and ordered the perpetrator to pay compensation for both material and immaterial losses. However, in many cases, the implementation of restitution orders still faces obstacles, especially when the perpetrator is unable to pay or is uncooperative. In such situations, the role of the state and child protection agencies becomes crucial to ensure the victim's rights are protected.

To strengthen the implementation of restitution rights for child victims of DV, several strategic measures need to be taken, including enhancing the capacity of law enforcement officials through training and socialization about the importance of restitution and victim recovery, simplifying the restitution application and implementation procedures to make them more accessible to victims and their families, strengthening the role of LPSK and child protection agencies in assisting victims and ensuring their restitution rights are fulfilled, providing advance funding or compensation mechanisms by the state for cases where the perpetrator is unable to pay restitution, educating and socializing the importance of restitution as part of child protection and recovery from DV, and monitoring and evaluating the implementation of restitution orders by courts, prosecutors, and related institutions.

Restitution for child victims of DV is a tangible manifestation of justice that favors the victim and a comprehensive recovery effort. The existing legal regulations must be implemented effectively and humanely, with the best interests of the child as the priority. The state, law enforcement officials, and society must work together to ensure that every child victim of DV receives restitution fairly, quickly, and humanely, so they can rise from trauma and build a better future. Restitution is not only a legal instrument but also a symbol of the state's commitment to recovery and the future of children who are victims of domestic violence. Therefore, it is time for all components of the nation to work together to ensure that restitution rights for child victims of DV are truly implemented effectively, fairly, and humanely, so that Indonesia can become a child-friendly country, free from violence, and uphold human values and justice for all.

## Challenges in Implementation and Efforts to Strengthen Restitution

The challenge of implementing restitution rights for children who are victims of domestic violence (DV) in Indonesia is a highly complex and multidimensional issue, despite the availability of a formal legal framework regulating these rights in various laws, such as the Child Protection Law, Government Regulation No. 43 of 2017, and provisions in the Indonesian Criminal Procedure Code (KUHP) that provide a mechanism for combining compensation claims in criminal cases. However, in practice, the implementation of restitution rights for child victims of DV is still far from expectations (Sukma 2023). One of the main obstacles is the lack of understanding and awareness among law enforcement officials about the restitution mechanism. Many investigators, public prosecutors, and judges still do not fully comprehend the procedures for implementing restitution, including how to assess and calculate the material and immaterial losses suffered by child victims. This directly impacts the low prioritization of restitution in court rulings, which are often granted only as material compensation, overlooking the psychological recovery aspects of the victim, even though psychological trauma is the most significant impact suffered by child victims of DV. This lack of understanding also leads to misinterpretation of regulations, meaning restitution is not prioritized in judgments or the restitution amounts set do not reflect the actual losses of the victims.

In addition, the slow and complicated legal process is another challenge. The integration of restitution claims into criminal cases often prolongs case resolution times, while inefficiencies in court or prosecutor's office bureaucracy hinder the timely and accurate fulfillment of victims' restitution rights. The restitution application procedure, which requires valid evidence of loss, is also difficult for child victims and their families to meet, especially for those from economically disadvantaged backgrounds or with limited education (Piri 2013).

The lack of support and assistance for child victims in the restitution application process also constitutes a major obstacle. Law enforcement often fails to provide sufficient information, and it is not uncommon for victims and their families to be unaware of their restitution rights. The Witness and Victim Protection Agency (LPSK), which should play a key role in assisting victims, is still rarely involved directly due to limited resources and capacity. As a result, many victims do not

receive adequate protection and support to navigate the legal process effectively. Additionally, the trauma experienced by victims is often not properly addressed by law enforcement, leading victims to feel uncomfortable and reluctant to engage in legal proceedings. Furthermore, the implementation of restitution orders is often not optimal due to the perpetrator's inability to pay compensation. The absence of clear rules regarding enforcement or additional sanctions for perpetrators who cannot or refuse to pay restitution results in many restitution orders not being realized. Even when the court orders the seizure of the perpetrator's assets, the implementation often faces administrative and bureaucratic hurdles, preventing the victim's rights from being fulfilled (A. P. A. Pratama et al. 2024).

Another factor exacerbating the situation is the lack of supervision over the implementation of restitution orders. Courts and prosecutors lack an effective monitoring mechanism to ensure that perpetrators fully comply with their restitution obligations to the victim. In many cases, restitution becomes a mere formality in the ruling without proper follow-up on the ground. Additionally, the legal substance related to restitution still has deficiencies, such as the complicated application procedure, the absence of rules ensuring perpetrators fulfill restitution obligations, and a lack of provisions regarding the judge's authority in assessing the amount of loss. From a legal culture perspective, the low public awareness about the importance of restitution rights for victims and the lack of trust in law enforcement are also major barriers. The social stigma surrounding DV victims, particularly children, makes victims and their families reluctant to report cases and file restitution claims, making their rights even harder to assert.

Upon closer examination, the challenges in implementing restitution stem from the substance of the law that has not fully prioritized the victims. The Indonesian legal system, particularly the KUHAP, still regulates the rights of suspects more than the rights of victims. This has implications for the victim's position, which is often marginalized in criminal proceedings. Victims are only needed for evidence, providing testimony as witnesses, while the fulfillment of their rights, including the right to restitution, heavily relies on the proactive actions of investigators, prosecutors, and judges to provide information and ensure that these rights are accommodated in the legal process. Empirical research in several district

courts has shown that restitution for child victims of crime is only granted in the form of material loss, while immaterial losses such as psychological trauma and social impacts are still frequently overlooked.

Efforts to strengthen the implementation of restitution for child victims of DV require concrete and integrated actions. First, legal regulations need to be improved by reviewing and refining the existing rules regarding restitution, particularly on enforcement mechanisms and sanctions for perpetrators who cannot or refuse to pay restitution. The regulation on assessing immaterial losses, such as psychological trauma and social impacts, should be supplemented with clear guidelines for calculating such losses. This could involve the use of international standards or the involvement of psychological experts to provide objective assessments. A comprehensive restitution assessment standard and new regulations could include specific indicators to measure losses, such as medical rehabilitation costs, psychological counseling, loss of educational opportunities, and social losses due to stigma (Saputra and Suherman 2022).

Second, increasing the capacity and professionalism of law enforcement officials is crucial through training, socialization, and the integration of restitution materials into legal education, so they understand and prioritize victim recovery in every legal process. Third, strengthening child protection institutions and LPSK to provide more proactive and continuous support to victims and their families during the restitution application and implementation process. Stronger mandates for LPSK and new regulations should enhance its role in assisting victims through restitution, including providing legal, psychological, and logistical services. The government could also consider creating a temporary victim assistance fund to support cases where perpetrators are unable to pay restitution, which can later be reimbursed through debt collection from the perpetrators.

Fourth, simplifying the restitution application procedure to make it more accessible to victims, including providing integrated legal aid and counseling services within the child criminal justice system. New regulations should simplify this mechanism, such as providing a fast-track route for restitution claims without undermining the rights of both perpetrators and victims. Integrating restitution with criminal judgments could also make it mandatory for judges to automatically consider



restitution in every criminal ruling involving children as victims, without requiring a separate application process. The addition of a specialized unit in courts is needed, and regulations should require each court to have a dedicated unit handling restitution, which would also assist victims in filing and implementing restitution claims.

Fifth, educating and socializing the public about the importance of restitution as part of victim rights and efforts to recover children, so that social stigma against victims can be reduced and society becomes more concerned about child protection. Additionally, cross-sector collaboration between the government, law enforcement agencies, child protection institutions, civil society organizations, and the community is essential to creating a comprehensive and just child protection ecosystem. Innovations in restitution implementation models, such as basic restitution through courts, victim assistance, or community accountability, can be adopted to ensure restitution payments are effective and controlled. Strengthening the role of Integrated Service Centers (PPT) is also important for providing better services to DV victims, including psychological and social support during the legal process.

In the international context, the restitution mechanism in Indonesia lags behind the standards in other countries. Restitution in Indonesia tends to focus on material aspects and less on the psychological impact suffered by victims. Additionally, the restitution application process in Indonesia is still complex and bureaucratic, unlike the international approach that emphasizes simple and quick procedures. Nevertheless, the existing regulations in Indonesia have the potential to be optimized. Several international elements, such as integrating psychosocial support services for victims, can be adopted to strengthen the restitution system in Indonesia. By revising the current regulations and developing new policies focused on victim protection and recovery, the implementation of restitution can become more effective and aligned with the principles of restorative justice. These steps will help ensure that child victims of sexual violence crimes receive their rights fully and fairly.

Overall, the challenges of implementing restitution rights for child victims of DV in Indonesia lie not only in legal and procedural aspects but also in social, cultural, and institutional aspects. A synergy and shared commitment from all stakeholders are needed to strengthen the protection and recovery of child victims of

DV through an effective, fair, and humane restitution mechanism. The state, law enforcement agencies, child protection institutions, and society must work together to ensure that every child victim of DV receives restitution rights fairly, quickly, and humanely, so they can overcome trauma and build a better future. Restitution is not only a legal instrument but also a symbol of the state's commitment to the recovery and future of children who are victims of domestic violence. Therefore, it is time for all components of the nation to work together to ensure that restitution rights for child victims of DV are effectively, fairly, and humanely implemented, making Indonesia a child-friendly nation, free from violence, and upholding human values and justice for all.

## Conclusion

Based on the analysis of the regulation and implementation of restitution rights for children victims of domestic violence (DV) in Indonesia, it can be concluded that restitution is an essential form of legal protection and has been explicitly regulated in various laws, such as the Child Protection Law, the Witness and Victim Protection Law, and Government Regulation No. 43 of 2017. Restitution is provided as compensation for material and/or immaterial losses suffered by the victim, including the loss of property, physical and psychological suffering, as well as medical and psychological care costs, which are charged to the perpetrator based on a final and binding court decision. In practice, restitution aims to support the physical, psychological, and social recovery of vulnerable child victims who are unable to advocate for their rights independently, while also affirming the perpetrator's legal responsibility for their actions. However, its implementation on the ground still faces challenges, such as a lack of understanding among law enforcement officials, bureaucratic procedures, insufficient victim assistance, and obstacles when perpetrators are unable to pay restitution.

Therefore, strengthening regulations, increasing the capacity of officials, enhancing the role of child protection institutions, and promoting education and cross-sector collaboration are necessary to ensure that restitution rights become an integral part of the protection and recovery of child victims of domestic violence in Indonesia.

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