

**PELAKSANAAN PEMENUHAN RESTITUSI BAGI ANAK
KORBAN KEKERASAN SEKSUAL DALAM SISTEM
PERADILAN PIDANA
(Studi di Kejaksaan Negeri Cilacap)**

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ABSTRAK

Maraknya kasus kekerasan seksual terhadap anak di Indonesia menimbulkan dampak serius, baik secara fisik maupun psikologis, sehingga upaya pemulihan korban perlu mendapatkan perhatian dalam sistem peradilan pidana. Salah satu bentuk pemulihan tersebut adalah restitusi sebagai hak anak korban yang dibebankan kepada pelaku melalui putusan pengadilan, namun dalam praktiknya pelaksanaan restitusi tersebut belum sepenuhnya terlaksana meskipun telah ditetapkan dalam putusan pengadilan. Penelitian ini bertujuan untuk menganalisis pelaksanaan pemenuhan restitusi bagi anak korban kekerasan seksual dalam sistem peradilan pidana di Kejaksaan Negeri Cilacap serta mengidentifikasi hambatan yang dihadapi oleh Jaksa Penuntut Umum dalam pelaksanaannya. Metode penelitian yang digunakan adalah yuridis empiris dengan pendekatan kualitatif, spesifikasi deskriptif. Menggunakan data primer yang diperoleh melalui wawancara dengan jaksa pada Kejaksaan Negeri Cilacap dan data sekunder berupa peraturan perundang-undangan serta literatur hukum yang relevan, yang dianalisis secara kualitatif. Hasil penelitian ini menunjukkan bahwa secara normatif mekanisme restitusi telah diatur dan dijalankan melalui tahapan identifikasi kerugian korban, penghitungan nilai restitusi, pencantuman dalam proses penuntutan, hingga eksekusi putusan. Namun demikian, pelaksanaannya belum sepenuhnya efektif karena masih terdapat kesenjangan antara ketentuan hukum dan praktik di lapangan, khususnya dalam hal konsistensi peran jaksa dan realisasi pembayaran restitusi. Hambatan utama yang ditemukan meliputi ketidakmampuan finansial pelaku, ketiadaan mekanisme pemaksaan hukum apabila restitusi tidak dibayarkan, serta kendala administratif, koordinasi antarlembaga, dan faktor sosial budaya yang menyebabkan korban cenderung pasif dalam menuntut haknya.

Kata Kunci: *Restitusi; Anak Korban; Kekerasan Seksual; Jaksa; Eksekusi Putusan*

**IMPLEMENTATION OF RESTITUTION FULFILLMENT FOR CHILDREN
VICTIMS OF SEXUAL VIOLENCE IN THE CRIMINAL JUSTICE SYSTEM
(Study at the Cilacap District Prosecutor's Office)**

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ABSTRACT

The rise in cases of sexual violence against children in Indonesia has serious impacts, both physically and psychologically, so that efforts to restore victims need to receive attention in the criminal justice system. One form of recovery is restitution as a right of child victims imposed on the perpetrator through a court decision, but in practice the implementation of restitution has not been fully implemented even though it has been stipulated in the court decision. This study aims to analyze the implementation of the fulfillment of restitution for child victims of sexual violence in the criminal justice system at the Cilacap District Prosecutor's Office and identify obstacles faced by the Public Prosecutor in its implementation. The research method used is empirical juridical with a qualitative approach, descriptive specifications. Using primary data obtained through interviews with prosecutors at the Cilacap District Prosecutor's Office and secondary data in the form of laws and regulations and relevant legal literature, which were analyzed qualitatively. The results of this study indicate that normatively the restitution mechanism has been regulated and implemented through the stages of identifying victim losses, calculating the value of restitution, inclusion in the prosecution process, and executing the decision. However, its implementation has not been fully effective due to gaps between legal provisions and practice, particularly regarding the consistency of the prosecutor's role and the realization of restitution payments. The main obstacles identified include the perpetrator's financial inability, the lack of a legal enforcement mechanism for non-payment of restitution, as well as administrative constraints, inter-institutional coordination, and sociocultural factors that contribute to victims' passive responses to demanding their rights.

Keywords: *Restitution; Child Victims; Sexual Violence; Prosecutor; Judgment Execution.*