

IMPLEMENTASI PRINSIP *FAIR TRIAL* DALAM MELINDUNGI HAK ANAK KORBAN KEKERASAN SEKSUAL DI PENGADILAN NEGERI SINGARAJA KELAS IB (Studi Putusan Perkara No. 7/Pid.Sus/2024/PN Sgr)

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ABSTRAK

Penelitian ini bertujuan untuk menganalisis (1) implementasi prinsip fair trial dalam melindungi hak anak sebagai korban kekerasan seksual di Pengadilan Negeri Singaraja Kelas IB, dengan fokus pada studi Putusan Perkara No. 7/Pid.Sus/2024/PN Sgr (2) mengkaji dan menganalisis dasar pertimbangan dan keyakinan Majelis Hakim mengenai prinsip Fair Trial dalam melindungi hak anak dalam memutus kasus kekerasan yang dialami oleh korban. Metode penelitian yang digunakan adalah hukum empiris dengan pendekatan studi kasus. Data diperoleh melalui studi dokumen, wawancara, dan analisis putusan pengadilan dan tambahan data di dinas sosial dan dinas pengendalian penduduk, keluarga berencana, pemberdayaan perempuan, dan perlindungan anak. Hasil penelitian menunjukkan bahwa (1) prinsip fair trial telah diterapkan dalam berbagai tahap proses peradilan, mulai dari penyidikan, penuntutan, hingga persidangan. Perlindungan hak anak korban kekerasan seksual diwujudkan melalui berbagai mekanisme, seperti pemberian pendampingan hukum, perlindungan identitas korban, dan penyediaan fasilitas khusus untuk memberikan kesaksian. Namun, penelitian ini juga menemukan beberapa kendala (2) seperti pemenuhan pemulihan psikologis maupun psikososial terhadap anak korban kekerasan seksual, serta kurangnya pemahaman beberapa pihak terkait mengenai kebutuhan khusus anak korban kekerasan seksual. Dari penelitian ini bahwa meskipun prinsip fair trial telah diterapkan, masih terdapat tantangan dalam pelaksanaannya yang membutuhkan perhatian lebih lanjut. Rekomendasi yang diajukan meliputi peningkatan kapasitas aparat penegak hukum, penyediaan fasilitas yang ramah anak, dan edukasi masyarakat mengenai pentingnya perlindungan hak anak korban kekerasan seksual.

Kata Kunci : Prinsip *Fair Trial*, Kekerasan Seksual, Hak Anak.

**IMPLEMENTATION OF FAIR TRIAL PRINCIPLES IN PROTECTING
THE RIGHTS OF CHILD VICTIMS OF SEXUAL VIOLENCE IN THE
SINGARAJA STATE COURT CLASS IB (Study of Case Decision No.
7/Pid.Sus/2024/PN Sgr)**

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ABSTRACT

This study aims to analyze (1) the implementation of the principle of fair trial in protecting the rights of children as victims of sexual violence in Singaraja District Court Class IB, with a focus on the study of Case Decision No. 7/Pid.Sus/2024/PN Sgr (2) examine and analyze the basis of consideration and belief of the Panel of Judges regarding the principle of Fair Trial in protecting children's rights in deciding cases of violence experienced by victims. The research method used is empirical law with a case study approach. Data was obtained through document studies, interviews, and analysis of court decisions and additional data at the social services and population control, family planning, women's empowerment, and child protection offices. The results showed that (1) the principle of fair trial has been applied in various stages of the judicial process, from investigation, prosecution, to trial. Protection of the rights of child victims of sexual violence is realized through various mechanisms, such as providing legal assistance, protecting the identity of victims, and providing special facilities to provide testimony. However, this study also found several obstacles (2) such of psychological and psychosocial recovery for child victims of sexual violence, as well as a lack of understanding of some related parties regarding the special needs of child victims of sexual violence. This research shows that although the principle of fair trial has been applied, there are still challenges in its implementation that require more attention.

Keywords: *Fair Trial Principle, Sexual Violence, Children's Rights.*