

# Article

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## Analysis of Criminal Law Sanctions' Application Against Statutory Rape from the Positive Law Perspective on Ambon Island and Lease Islands

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**Abstract.** The purpose of this study was to analyze the application of criminal law sanctions against statutory rape in Indonesia. The analysis employed a positive law perspective and an empirical legal approach. The research data consisted of verbal utterances and observation results collected from Criminal Investigators at the Ambon Island and Lease Islands' police stations. Data analysis was carried out through (1) data reduction, (2) data display, and (3) conclusion. The results of this study indicate that criminal sanctions against statutory rape in Indonesia are applied through the process of investigation, visum et repertum, prosecution and summons of suspects and witnesses, statements of criminal penalties for the perpetrators, and prevention of sexual immorality and rape. The criminal sanctions are based on "Law Number 35 of 2014 about Amendments to Law Number 23 of 2002 concerning Child Protection Articles 76D and 81.

**Keywords.** criminal, intercourse, positive law

### 1. Introduction

Children are a mandate and a gift from God Almighty that we must protect. The rise of crimes against children in Indonesia is a problem that continues to this day (Susanti, et.al, 2020:182). There are two ways to prevent crime against criminal acts, such as corrective prevention and prevention of criminal penalties (Thieu, 2019:13). In fact, the United Nations Council has stated that crimes against children around the world, such as child exploitation, child sales, and child prostitution are human rights violations that must be carried out to provide protection to children (Nguyen, 2020: 192). Parents are responsible for safeguarding their children from physical aggression that might have a psychological impact on the children. Similarly, sexual violence experienced by children results in deep trauma and influences on their psychology and their future. Children have human rights, which must be protected. The state, society and parents must be able to provide protection for children without discrimination (Rochaji & Muthia, 2021:293). Children's rights are included in the 1945 Constitution as well as the United Nations (UN) Convention on the Rights of the Child. Children are the next generation of the nation that represent the nation's future and its belief. Every child has the right to survive, grow, and develop, as well as to participate in society. All children have civil rights and civil freedoms. Therefore, they should be protected from acts of violence and prejudice (Law Number 23/2002). Based on this explanation, parents, families, communities, and the state

are responsible for maintaining for these human rights in accordance with the obligations imposed by law (Ismawati, 2021:45). It is the responsibility of parents, families, and communities to support children's human rights in line with the duties imposed by law (Arsawati, Darma, & Antari, 2020: 222). When it comes to implementing child protection, the state and government are also in charge of providing facilities and accessibility for children, particularly in terms of guaranteeing their optimum and planned growth and development. Minors should be protected from any form of criminal offenses, including sexual exploitation or sexual harassment. Children must receive special protection from sexual harassment because the perpetrators of sexual abuse are usually carried out by people who are known to the child himself (Nguyen, 2020:193). The protection that needs to be strengthened at this time for children is the protection of criminal law. This is in line with the opinion of Abdurrachman, et.al, (2021:1012) that strictly enforced criminal law can prevent crime in order to uphold the dignity of the law itself and protect the interests of the community.

Sexual assault or terrible experiences in childhood can induce trauma, which might cause problems in children's marriages in the future. Ensuring children's rights is a collection of activities carried out in a sustained and focused way. Parents, families, society, government, and the state must support children's physical, mental, spiritual, and social development in order for children to become *Pancasila* nationalist, noble, tough and willing to maintain the nation's unity and integrity. Therefore, all forms of violence against children, both physical and sexual, are legal actions that must be criminalized (Jurka, et.al, 2020: 1482).

Discussions concerning children and child protection will never end because children are prepared for carrying out sustainable development and in charge of the destiny of a nation, including Indonesia. The protection of Indonesian children entails safeguarding human resource potential and growing the Indonesian people as a whole toward a just, wealthy, and spiritual society based on Pancasila and the 1945 Constitution. To be able to take on this duty, every child must be provided with the best possible opportunity to develop physically, cognitively, and socially and to build character. In Article 2 paragraph (3) and (4) of Law Number 4/1979, the Republic of Indonesia concerning Child Welfare, it is claimed that: "Children have the right to care and protection, both during pregnancy and after birth. Children have the right to protection from environmental harms that can endanger or hinder their normal growth and development." These two verses establish the premise that child protection is supposed to seek proper and fair treatment in order to ensure the well-being of children.

Children are seen as a divine obligation for Muslims, therefore they should have the right to receive care, guidance and education. Of course, this viewpoint implies that children should be cared for as best they can. Children, on the other hand, are obligated to uphold the norms established by prior generations.

Both the object and the subject of child protection services and activities have rights and responsibilities. The belief that every child has the right to mental, physical, and social protection from parents, members of society, and the state, can motivate a person to participate conscientiously and consistently in any child protection activity. This viewpoint certainly stems from an awareness of the correct image of humans, especially those referred to as "children." Child protection is indeed a serious societal issue.

Child protection is a barometer of a nation's civilization. Thus, it must be endeavored in line with the capacities of the nation. Child protection activities are legal actions that require legal protections. Efforts must be taken to provide legal clarity for the continuation of child protection activities, as well as to avoid fraud that has unfavorable negative implications in their execution.

Sexual impulses frequently victimize children and women. Rape, sexual harassment, and obscene behavior are all too prevalent. Rape may occur in a peaceful relationship under the cover of "shared consent." The wrongdoer uses the alibi to evade criminal traps. This has become a widespread issue, therefore, the law should give justice for sexual assault victims, particularly children. In light of this rationale, an in-depth investigation needs to be carried out.

There has been research into criminal penalties for offenders of child sexual abuse. For instance, Yanlua (2014) in "Application of Criminal Sanctions Against Statutory Rape of Minors at the Makassar District Court" recommends that the perpetrator of rape must be prosecuted as a criminal because of his actions. Furthermore, Pinasalo (2011) in "The Implementation of Child Sexual Abuse Investigations (a Case Study at the West Pasaman Police Station)" found that the investigation process into criminal acts of obscenity with suspected minors has been carried out based on the Indonesian procedural law (KUHAP). Unfortunately, despite the fact that the investigation was conducted in accordance with the Criminal Procedure Code and with due regard for the rights of children as outlined in the Child Protection Law Number 23/2002, the rights of children as victims were not properly protected.

Unlike the other two studies, the current study analyzed a distinct object and used a new analytical theoretical standpoint. The case studies in this analysis were conducted at the Ambon Island and Lease Islands' police stations. Positive law was the legal theory perspective employed in assessing the findings of this study. As a result, the importance of this study cannot be overstated because the findings are anticipated to give feedback and guidance in Indonesian law enforcement.

### Research Methods

This qualitative study used an empirical legal approach to data collection and data analysis. It aimed to uncover the truth in the field by investigating the experiences of respondents and key informants. The data were obtained through observation, interviews and documentation. Data analysis consisted of the following stages: (1) data reduction, (2) data display and (3) conclusion drawing. At the data reduction stage, verbal data were transcribed into written form. These data were then identified and classified based on the focus of the study. Data display refers to the stage of compiling a report to show the data. Conclusions in this study were drawn through data verification that demonstrates data consistency. The validity of the data was checked in four ways. First, the data were reviewed and read in an acceptable manner so that they could be accurately comprehended and analyzed. Then, the data were validated through cross-reference with library items and associated documents. Symptoms connected to the topic at hand were investigated carefully. Finally, legal specialists or experts were invited to double-check the data.

### Findings and Discussion

According to observations and interviews with police at the PPA Polresta Ambon Island and Lease Islands' unit offices, there were 181 occurrences of statutory rape recorded in the previous three years (2018 - 2020). The number of instances reported each year is detailed in the table below.

Table 1. The Number of Statutory Rape Instances Reported Each Year in Ambon

2018	Number of cases	2019	Number of cases	2020	Number of cases
January	6	January	9	January	9
February	7	February	12	February	7
March	9	March	8	March	8

April	12	April	7	April	-
May	-	May	10	May	10
June	16	June	5	June	-
July	-	July	8	July	5
August	-	August	-	August	-
September	10	September	11	September	-
October	7	October	-	October	-
November	-	November	6	November	-
December	9	December	5	December	-
<b>Total</b>	<b>69</b>	<b>Total</b>	<b>73</b>	<b>Total</b>	<b>39</b>

(Source of Data : Results of Interviews with officers at PPA Unit, August 2020)

According to Table 1, 12 cases out of a total of 181 can be settled at the investigation stage. Meanwhile, 94 cases were being investigated, and 65 cases had been sent to district courts for trial. Ten of the statutory rape cases were settled out of court.

### 1 Investigation

The imposition of criminal penalties for offenders of statutory rape has essentially gone through a thorough examination procedure. Before imposing criminal punishment, investigations are conducted as a preliminary step. Investigations are also conducted to find situations that are seen to be conflicting. A criminal investigation process begins with appropriately and accurately treating the scene of the case, that is, by adhering to the applicable investigative methods and rules. This is consistent with Vuorela's belief that a case begins with a report, is followed by an investigation, and is then submitted to the court for adjudication. Investigations are carried out to obtain conclusions or preliminary information about the initial action at the crime scene. They must be carried out immediately after the occurrence of a criminal act to provide assistance and protection to victims or members of the public as well as to close and secure the crime scene. A criminal act can be

discovered through reports, complaints, caught in the act or known directly by the police officers. This is in line with the results of an interview with the officers from the PPA Unit of the Police Office on Ambon Island and Lease Islands:

“The investigation process includes interviews to look for and find an event that is suspected of being a criminal act. After that, the Police Report can be written, the victim can be interrogated and *visum et repertum* are made. The police will ask questions”

As stipulated in the Criminal Procedure Code, investigations of rape cases require high accuracy because normally, there are no witnesses who are physically present at the crime scene. Quinlan argues that rape is the most disgusting of crimes, but it must be remembered that it is an easy allegation to make, and difficult to prove. In a case of rape, evidence can be lost instantly and the community lacks knowledge of how to store evidence. Therefore, investigators need to carry out aggressive investigative activities to resolve the case. The investigator at the PPA Unit of the Police Office on Ambon Island and Lease Islands mentioned that:

“The series of activities start from; knowledge of criminal events, initial action at the crime scene, examination of victim witnesses and *visum et repertum* by a doctor, examination of witnesses, examination of suspects, arrest and detention, filing and submission of files to the district attorney.

The interview excerpt explains that after the investigator receives a report or a complaint about rape, he would immediately make a police report and enter the report into the mutation book, report it to the head of his regional unit and notify the investigator for the processing of the crime scene. Before going to the crime scene, the personnel get ready for field investigation. These personnel include the officer who is in charge of the case, investigator, and technical assistance which includes the criminal laboratory staff, identification officer and doctor. After the preparations are complete, the first action taken is to provide protection and first aid to the victim. Then, the police officer will conduct a search for the perpetrator or suspect by asking for information from eye witnesses or from what he has heard and seen himself.

The second stage is the search for evidence using a method appropriate to the conditions and situations of the crime scene and the number of officers involved. Collecting evidence must be carried out in an appropriate manner and in accordance with the form or type of evidence taken, for example in the form of solid, liquid or gas. Evidence is collected to analyze and evaluate the clues, information and identity of the suspect. This is evidenced by the following interview results.

“Evidence is a clue. There are five pieces of evidence in the Criminal Code, namely: witness statements, expert statements, arrest warrants, instructions, and statements from the defendant”.

In addition, the officer at the PPA Unit of the Police Office on Ambon Island and Lease Islands explained that:

Basically, the investigators would do a general observation at the crime scene; They would take pictures and make sketches; handle the victim and evidence, such as clothes of the victim or the results of *visum et repertum*.”

According to the above-mentioned interview, the PPA Unit police's gathering of evidence attempts to clarify a criminal case in order to discover the offender. The final step in a sequence of investigative actions is to write a police report on the outcomes of the crime scene investigation. This report is made by the unit or members of the investigator who come to the crime scene. It will then be submitted to the head of the police station, namely the Head of the Criminal Investigation Agency or the Head of the Certain Criminal Actions Unit. The report details the actions that have been done in relation to the case.

In a sexual immorality case, the investigator will seek the assistance of a forensic doctor to evaluate victim witnesses. To seek the assistance of a forensic doctor, the investigator will submit a formal request to the Forensic Medicine (Criminology Institute) for a *visum et repertum* examination. The investigation of victim witnesses must be completed as soon as possible, and a *visum et repertum* report must be produced immediately to serve as proof of an act of sexual immorality. The inspection must be carried out quickly since proof of the unlawful act of sexual immorality is often forgotten. This evidence can be in the form of a typical wound or injury that occurs as a result of deliberate violence, not due to an accident or disease. In an interview session, the informant explained that:

“The investigation process includes examinations, taking statements from victim witnesses, collecting other witness testimonies, issuing an arrest warrant, detaining the suspect as well as filing and submitting files to the Prosecutor's Office.”.

The interview excerpt shows that the PPA Unit of the police station in Ambon Island and Lease Islands has carried out its duties and functions based on the provisions of the prevailing laws and regulations. Another important thing is that the evidence of violence and sexual abuse must be relevant to the information provided by the victim's witness. A bruise or small abrasion on the cheek, neck, wrist or thigh area may be atypical or medically insignificant, but is of legal significance if it is relevant to a history of an incident, such as being slapped,

strangled, firmly held or forced. From a psychological point of view, certain mental syndromes can support this physical evidence.

## **2 Visum et repertum**

In handling sexual violence cases such as rape cases, anogenital and laboratory examinations must be carried out carefully and in accordance with standard examination procedures. The discovery of bruises, abrasions and/or lacerations around the women's pubic area, such as the vulva, vagina and hymen, can lead to the conclusion that the injury is a sign of violence. When these signs are located in a deeper area such as in the vaginal hymen, it can be concluded that penetration is very likely or almost certain (not necessarily complete penetration, and not necessarily by the penis). It must be admitted that there is still a weakness from this conclusion, namely that there is no certainty when the violence occurred, especially if the injury was an "old" injury. A five-day-old hymen tear generally has the same characteristics as other old tears. The examination process has become part of the procedures for handling rape cases carried out by investigators at police stations on Ambon Island and Lease Islands. This is evidenced by the following interview result:

"To prove the existence of sexual violence or rape, a Visum Et Repertum is held at the nearest police hospital or public hospital. The victims were accompanied by their biological father and members of the PPA Unit from the police stations on the island of Ambon and the islands of Lease. Visum will be followed by examination of the genitals"

From the interview result, it can be concluded that to prove the crime of rape or sexual abuse of minors, the police will coordinate with the police hospital staff and doctors.

## **3 Prosecution and summons of suspects and witnesses**

In an effort to obtain further information about a case, investigations can be carried out by force, such as carrying out the arrest of a suspect, body searches, house searches, confiscation, and examination of an incident which constitutes a criminal act. Following action, the suspect or witness will be brought for questioning in order to acquire information and instructions about the illegal conduct that has happened.

The witnesses who were interrogated for the first time were the victims themselves. Witnesses who are to be summoned should be prevented from contacting one another until they are asked to testify before a trial. This is done to prevent them from influencing each other. If a witness who has been legally summoned is not present, the presiding judge may order that the witness be forced to appear before a court session.

Before a witness gives a statement, s/he is obliged to take an oath/promise according to his respective religion. Only witness testimony given under oath alone has evidentiary value and can bind a judge. Judges, public prosecutors, and legal advisers interview witnesses in question and answer sessions. However, prior to that, the presiding judge needs to ask the identity of the witness and whether the witness recognizes the defendant or whether s/he is related to the defendant. If the witness has finished giving his/her testimony, then without the permission of the presiding judge, s/he is not allowed to leave the courtroom. In other words, a witness must remain in the courtroom at the request of the public prosecutor or legal adviser because s/he needs to hear the information given by the next witness for the smooth examination of the case.

Examination of suspects by investigators or assistant investigators is part of the investigation activities carried out to collect useful information and clues to uncover a criminal act. In conducting examination of a suspect, the investigator must always read out the suspect's rights, including asking whether the suspect wants to be accompanied by a legal advisor or not



during this examination. A report will be made if the suspect has stated that he understands his rights. This is consistent with the explanation of the criminal investigators at the police station on the Ambon and Lease Islands:

“If the investigator has finished carrying out the investigation, the investigator is obliged to submit the case file to the public prosecutor. The consideration and submission of case files are in the form of results of examinations of suspects and witnesses as well as the completeness of evidence obtained, and elements of a criminal act. The submission of case files is carried out in the first stage, followed by the transfer of responsibility for the suspect and evidence to the public prosecutor”.

From the interview result, it can be concluded that the case files for statutory rapes have reached the prosecution stage and have entered the courts and prosecutors.

#### **4 Statements of criminal penalties for the perpetrators of rape or obscenity**

The criminal investigators on Ambon Island and Lease islands have carried out legal action against the perpetrators of rape of minors. The legal basis used by the criminal investigation officers in dealing with the perpetrators of statutory rape in the area is "Law Number 35/2014 concerning Amendments to Law Number 23/2002 concerning Child Protection, where Article 76D states that "Everyone is prohibited from committing violence or threats of violence against children or forcing children to have sexual intercourse with him or with other people.

Article 76D explains that sexual obscenity, violence or threats of sexual violence are criminal acts. Meanwhile, in Article 76E, it states that "Every person is prohibited from committing violence or threats of violence, coercing, tricking, committing a series of lies, or persuading a child to commit or allow to commit obscene acts." The criminal threat against this obscenity case is contained in article 81 which reads as follows:

##### *Article 81*

(1) Every person who violates the provisions referred to in Article 76D shall be sentenced to imprisonment for a minimum of 5 (five) years and a maximum of 15 (fifteen) years and a maximum fine of Rp. 5,000,000,000.00 (five billion rupiah).

(2) The criminal provisions as referred to in paragraph (1) shall also apply to any person who deliberately commits deception, a series of lies, or induces the child to have intercourse with him or other people.

(3) If the criminal offense as referred to in paragraph (1) is committed by parents, guardians, child caregivers, educators, or educational personnel, then the penalty is added by 1/3 (one third) of the criminal threat as referred to in paragraph (1).

The use of the aforementioned statute article is in accordance with the explanation of the investigator from the PPA Unit at the Ambon Island and Lease Islands' police stations, such as mentioned below:

The regulation or legal basis applied to cases of abuse or rape of minors is the Child Protection Act. In this law, there are articles that regulate statutory rape. In addition, the Law on Domestic Violence which regulates acts of sexual abuse in the household, including wives against husbands, husbands against wives, parents against children, can also be used to prosecute these crimes.

The interview excerpt shows that the criminal threats imposed by the PPA Unit at the police stations on Ambon Island and Lease islands for suspects in statutory rape (sexual abuse

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or sexual harassment of minors) are already in accordance with the provisions of the applicable prevailing laws.

### 5 Prevention of sexual immorality and rape

Statutory rape is a serious crime with a significant number of reported incidents. According to Razzaq and Durocher, the percentage of children who have undergone sexual assault from childhood has increased by 55% since 2005. Child sexual abuse or rape has a unique influence on both the victim and society as a whole. The subsequent consequence, whether little or severe, becomes a measure of the crime. There are individuals who believe that the sexual crime is not significant, unsettling, or destructive, yet there are also some who believe that the crime has caused immense misery. Sexual crimes are also regarded significant crimes in other nations, such as India. Perpetrators of rape are severely punished by increasing the mandatory minimum sentence to ten years and the death penalty for rape of children under 12 years of age. This is important because cases of sexual abuse by biological fathers have often occurred. Such countermeasures will have an important impact on the various factors causing these cases.

According to Law No.23/2004 on the Elimination of Domestic Violence, women, who are frequently victims of domestic violence, must be protected by the state and/or society in order to prevent and free them from violence or threats of violence, torture, or treatment which diminishes humanity's degree and dignity (Law No. 23/2004). This statute, article 1 paragraph (2) addresses the resolution of domestic abuse cases. Domestic violence is defined as any act committed against someone, particularly a woman, that leads to physical, sexual or mental pain or suffering, and/or neglect of the household, including threats to conduct illegal actions, coercion, or denial of liberty inside the family.

Article 1 paragraph (3), concerning the abolition of domestic violence, comprises assurances granted by the state to prevent domestic violence from happening, to take action against domestic violence abusers, and to protect victims of domestic abuse. Victims of sexual immorality in the family require moral assistance because the perpetrator of the crime has violated their human rights.

A person who becomes a victim of this crime has his or her human rights violated. Human rights are undermined by behavior that accentuates barbarism. Human dignity, which should be protected, is abandoned, defiled, and castrated. Until recently, women have always been vulnerable to being victims of morality crimes. The sexual impulses of every criminal tear and corrupt the ethical standards that should be kept pure. What is quite concerning is that such crimes do not only occur to adult women but also affect underage girls. These girls were forced to gratify the lecherous yearning of someone who happens to be their biological father.

Victimology is the study of victimization as a human problem and a societal reality. It is impossible to change the reality that parts of a harmful social structure might persuade people to victimize. As a result, attempts to address the problem of structural victimization must be conceptual, with developed plans, strategies, and tactics in place. Sexual abuse is one of the incidents affecting young females. This sexual assault crime affects a large number of young females. Violence against young girls is based in a system that believes women are weak and inferior to males. This is what underlies Bunting's theory, that sexual violence against women is based on gender differences.

Sexual abuse is a common decency offence. Domestic sexual abuse has become one of the sexual crimes that demands considerable attention, considering the complexity and diversity of issues it may bring in society and the state's life. This issue can potentially jeopardize the future of women in general, and girls in particular, as well as the future of a family.

Sexual abuse is, in essence, a primordial type of violence that everyone is aware may occur in every culture. One of the difficulties that must be taken seriously is the societal manifestation of the problem of sexual immorality in the family. From the past to the present, sexual immorality in the family has been defined as a type of conduct impacted by a family's poor socioeconomic status. The problem of sexual immorality in the family that girls face exemplifies women's poor regard for men's sexual ambitions. Underage girls are regularly vulnerable to physical and psychological abuse in everyday life.

It appears that parents must exercise caution when it comes to the protection of their children, both boys and girls. Recently, children have become frequent victims of adult crimes, including both basic crimes such as robbery and abduction, as well as crimes with sexual subtleties such as sexual immorality, particularly inside the family. Sexual violence, including sexual abuse, is a type of oppression and a violation of human rights done by one person to another, by some groups to other groups, by adults to children, by employers to their assistants, and by men to women. This conduct demonstrates how people who are powerful and superior view the weak as victims. As a result, sexual and physical violence experienced by children has a significant influence on their psyche, leading to depression, suicide attempts, and drug abuse.

Men, for example, believe they are superior and can conquer, tame, and eventually rule women. This emotion became a powerful force for him to prove his habitat and accomplish even more by displaying barbarity. Fornication in the family is a serious crime since the effects affect not just the women who become victims, but also society as a whole (fear of society).

Members of the community who have girls will suffer worry of unforeseen crimes that can occur anywhere, even within the family. Hendi Suhendi as Leo Lintang as Iwan, for example, was reported for sexual immorality against his biological daughter. Efforts to fight sexual immorality in the family can be successful if (1) all levels of society respect the culture and ethics of modest clothes, and (2) everyone can retain good morals, beginning with the smallest part of society, namely the family before society, (3) everyone can practice and live up to the existing norms along with all the sanctions, and also their religious norms, (4) everyone can have more control over their actions so that there is no deviation in their actions, (5) everyone can control their emotions and sexual desires, (6) everyone can raise the level of their economy and education, (7) judges' decisions must be fairer and in accordance with the crimes of decency that have occurred, and (8) serious legal and sociological treatment must be provided to the sexual abuse victims.

Among other things, the goal of a crime prevention endeavor is to build a just and affluent society (materially and spiritually). Thus, the foregoing aims may include (1) sustaining the continuity of life with people, (2) assuring the certainty of life and a sense of security for every citizen, (3) maintaining public order and security, and (4) limiting deviations in citizen and power-holder conduct (Politics, Economics, Religion).

Some of the above-mentioned measures to address sexual immorality are broad attempts to counteract incidents or criminal actions of sexual immorality in the family. The countermeasures must continue to be in conformity with the existing regulations, as well as with the current penalties. Countermeasures that can also help in resolving the illegal conduct of sexual immorality include, for example, preventative activities carried out in a planned, methodical, and directed way. Efforts like these are aimed at minimizing the space for the criminals, limiting the spread of the crime, and lessening the impact of the crime on others. In addition, various measures that might be used to deal with sexual immorality must attempt to suppress minor crimes while preventing more significant crimes. In other words, violators of standards and morality must be punished in accordance with the law. However, if the wrongdoer is a member of the family, a reaction is required. If sexual immorality in the family by the father

against his biological daughter or son can be avoided, it may have an impact on the prevention of similar crimes.

Preventing a father's sexual immorality against his biological kid is preferable to dealing with the consequences. It is difficult to restore the victim's state following the crime. In this regards, the investigator at the Ambon Island and Lease Islands Police Station stated that:

The Community Development Division of the police department is in charge of preventing sexual immorality. This section is in charge of the Child Protection Law and the Domestic Violence Law's counseling, psychological therapy, and socialization functions. So, with the assistance of the Community Police, the division will organize extension groups in the villages to prevent violence against children or other forms of domestic violence acts.

According to the aforementioned statement, personnel of the PPA Unit at the police stations on Ambon and Lease Islands have worked with the Community Development division to socialize the Child Protection Law. They have also sought to give psychological counseling to victims of sexual immorality or rape so that the children can cope with the aftermath effect of the abuse. Furthermore, in accordance with current rules and regulations, the local police have taken tough action against the offender of the crime of sexual immorality in the family.

### **Conclusion**

According to the findings of this study, there were 181 incidents of statutory rape found on Ambon Island and the Lease Islands. Twelve of the 181 instances can be settled during the investigation stage. Meanwhile, 94 cases were currently being investigated, and 65 cases were being processed for submission to the district court for trial. *Ten of these rape cases were settled out of court. Furthermore, the criminal consequences imposed on offenders of statutory rapes of children by the Ambon Island and Lease Islands Police are those outlined in Law Number 35/2014 about Amendments to Law Number 23/2002 Concerning Child Protection, Article 76D and Article 81.*

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