

# Legal Protection Of Children In Case Of Physical Violence Causing Serious Injury Perspective Law Number 35 Of 2014 Regarding Amendment To Law Number 23 Of 2002 Concerning Child Protection

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**Abstract.** The rampant cases of physical violence against children which even lead to serious injuries to victims are very troubling, such as the case currently circulating regarding physical violence perpetrated by Mario Dandy, the son of a former tax official, to someone named David. As a result of this act of violence, the victim was seriously injured so he had to be in a coma for 37 days. Departing from this case, the role of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection is urgently needed as a guarantor for the protection of children's rights. This journal uses descriptive normative research methods by conducting a review of laws and literature on books and journals related to the issues raised. In a review of Law Number 35 of 2014, it is known that according to state law, in this case, the government, community, family, and school environment have an obligation and responsibility to protect victims. Special protection that can be given is in the form of monitoring, reporting, and imposing sanctions on perpetrators of acts of violence against children by applicable law.

**Keywords:** Child Protection; Physical Violence; Act

## 1. Introduction

The Unitary Condition of the Republic of Indonesia (NKRI) as per Article 1 Section 3 of the 1945 Constitution of the Republic of Indonesia is a state in view of the law in the execution of its state (rechstaat) [1]. Because of this, all citizens who are and live in Indonesia, whatever actions, and actions they take, must be based on the applicable legal rules. According to Utrecht, this law itself is a series whose contents are regulations formed to discipline members of society [2]. The purpose of establishing law is to realize safety and order in people's lives because everyone has different interests, therefore to fulfill all of these interests, the rights and obligations of every citizen are regulated by law.

However, in the implementation of these goals, sometimes there are contradictions because there are not a few legal problems that originate from the behavior of the community as individuals so in the end this is what causes criminal acts or crimes. This crime does not only happen to adults but can also happen to minors as victims. The facts that can be seen are that many underage children are subject to acts of violence both physically and psychologically, this is very concerning because these acts of violence can occur and be carried out anywhere without us being able to predict them. These events indirectly put children in conflict with the law [3].

The execution of youngster security should satisfy the accompanying prerequisites, among others: the advancement of truth, equity, and kid government assistance. As a victim, a child, is closely related to the mental attitude in obtaining treatment from law enforcers to optimize the implementation of the rights they have and it is not appropriate to be equated with adults, therefore guarantees for child protection absolutely must be carried out in the best interests of development. and the child's growth. Examining human rights (including the existence of children's rights) is universal in nature, meaning that those who have those rights are humans as humans, and not because of certain characteristics they have that must be treated in certain appropriate ways. The foundation of human rights and the second and deeper foundation is God Himself who created humans.

Thus, it is quite clear. Human rights concern all aspects of human life which reflect human nature as individuals, members of society, and God's creatures, which must be respected and guaranteed legal protection. So a contraction if basic human rights including the rights of the child are violated then what happens is that society will not be good or it can be said that the authorities are not carrying out their duties properly.

Each legitimate assurance given to residents regardless is by the arrangements of the regulations and guidelines in force in the Republic of Indonesia. All Indonesian residents reserve the option to be given insurance by the public authority, the two grown-ups and kids. Considerably more, consideration is given to the assurance of youngsters since kids are helpless against becoming casualties of viciousness. Legitimate security for kids is a work made so every kid gets freedoms and commitments under the steady gaze of the law for the youngster's physical, mental, and social development. Legitimate security for youngsters has a great deal of advantages for guardians and their kids, so in the lawful security of kids, collaboration should be held to forestall an irregularity in kid assurance exercises.

This illustrates that law must be oriented towards realizing the value of justice to achieve public order. The law aims to achieve a peaceful and just social order. Public order must become legal order because it contains justice so that it is supported by the community as a legal subject. If public order must be a legal order, then public order must be a just order. So, Justice is the substance and order of law and public order, so it is not an exaggeration to emphasize that the main function of legal protection is ultimately to realize justice.

One of the cases that is currently shaking the virtual world and the public is the case of the persecution that befell David Ozora, the son of GP Ansor official Jonathan Latumahina who was 17 years old in February 2023 at Pesanggrahan, South Jakarta. This misuse was done by a 20-year-old young fellow named Mario Dandy Satriyo who is the child of a previous authority at the Directorate General of Expenses of the Service of Money, Rafael Alun Trisambodo [4]. Apart from the victim's background and the perpetrators who are in the public spotlight, the condition of the victim who is very deplorable after the occurrence of the act of violence is also a serious topic for attention, because the violence resulted in serious injuries to the victim that made the victim fall into a coma for 37 days, and trauma that did not disappear until now This.

Withdrawing from this case, issues connected with youngsters connected with the law should be settled and accompanied to get the assurance of kids' freedoms. The improvement of an individual's negative considerations and characteristics that outcome in the introduction of demonstrations of viciousness is a heartless demonstration done by somebody thinking about that kids are people who have limits, here the job of the public authority, policing, society is vital in kid security.

Given the age of the underage victim, it is appropriate that all forms of violence that he experiences can be handled and protected as stipulated in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection (UU Child Protection)

where everyone has the right to get protection from acts of violence.

Because in this case the victim who experienced physical violence suffered serious injuries and severe trauma. In writing this journal, the author is interested in knowing what the legal rights are for children who receive physical violence in the category of serious injuries, and because this case will continue to the realm of serious law, how is the legal protection of children in cases of physical violence that causes serious injuries based on Child Protection Act.

## **2. Methodology**

The examination technique that the creator utilizes is the regulating legitimate exploration strategy, where basically this examination technique looks at regulation that is conceptualized as standards or decides that apply in the public eye, and turns into a reference for everybody's way of behaving. As indicated by Soerjono Soeknto and Sri Mamudji, standardizing lawful examination is legitimate exploration directed by inspecting writing or optional information [5]. Otherwise called library regulation exploration, hypothetical/fanatical legitimate examination. The information sources involved by the creators in this study are essential and optional lawful sources.

The examination object basically looks at different regulations and writing connecting with the lawful security of kids in instances of actual brutality that causes serious injury according to the viewpoint of the Kid Assurance Act (Contextual analysis of David Ozora). While the idea of the examination is illustrative, the investigation and exploration strategies utilized are regulating juridical, in particular examination that spotlights on sure lawful standards. The kind of exploration utilized is graphic.

The wellsprings of legitimate examination in this composing can be isolated into wellsprings of lawful exploration as essential lawful materials and auxiliary lawful materials. Notwithstanding research sources as legitimate materials, the creator can likewise utilize non-lawful materials whenever considered significant. The lawful materials utilized are essential legitimate materials, auxiliary legitimate materials, and tertiary lawful materials. Essential legitimate materials comprise of rules, official records, or compositions on going with regulations and judges' choices. While the auxiliary lawful materials utilized in legitimate composing comprise of writing, master composing, diaries, and exploration reports, as well as tertiary lawful materials as word references, reference books, magazines, etc. The methodology in this exploration is a legal methodology and a reasonable methodology [6]. The creators additionally take sources on the web connected with the improvement of cases that the creators examine in this diary research.

The legal methodology is done by analyzing the regulations and guidelines that are connected with the legitimate issues being taken care of, specifically among others regulations connected with the lawful security of youngsters who are survivors of criminal demonstrations of misuse which bring about serious wounds like the Constitution. The Republic of Indonesia of 1945, the Crook Code (KUHP), the Criminal System Code (KUHAP), Regulation Number 17 of 2016 concerning changes to Regulation Number 23 of 2002 concerning Kid Assurance, Regulation Number 31 of 2014 concerning alterations to Regulation Number 13 of 2006 concerning Insurance of Witnesses and Casualties.

For research for useful exercises, this legal methodology will open doors for scientists to concentrate on whether there is consistency and similarity among regulation and different regulations or among regulations and constitutions, or among guidelines and regulations.[7] Processing of the data that has been obtained will then be analyzed qualitatively by describing

or describing it through phrases, words, and sentences. So that it is hoped that discussion, explanation, and answers will be obtained from the reflection of the problem formulation in this study in a systematic, easy-to-understand, and accountable manner.

### **3. Discussion**

#### **3.1 Legal Rights for Children who Get Physical Violence in the Category of Serious Injury**

The meaning of a youngster as per the law with regards to legal guidelines is somebody who isn't yet 18 (eighteen) years of age, including kids who are still in the belly. The meaning of a kid is likewise characterized in Article 1 Point 1 of the Youngster Security Regulation which makes sense of that a kid is an endlessly gift from God All-powerful who has been connected to himself as a person with complete pride and worth. This implies that all kids naturally introduced to this world have a pride that should be maintained by the public authority and anybody, whether guardians, family, or society. Every child's rights must be given without being asked by the child beforehand [8].

Logically, legitimate assurance for kids in Indonesia is remembered for the 1945 Constitution of the Republic of Indonesia Part XA on Common liberties, explicitly in Article 28B passage (2) which peruses "Each youngster has the option to security from viciousness and segregation." Section XA itself is one of the consequences of the second alteration to the 1945 Constitution of the Republic of Indonesia. Obviously, the 1945 Constitution of the Republic of Indonesia is the most noteworthy lawful premise in the Indonesian state constitution since all that contained in it is the major and restricting standard and turns into an essential rule. to control other explicit legal arrangements.

Aside from that, the Indonesian government additionally approved the Assembled Countries Show on the Freedoms of the Kid. 36 of 1990. The Geneva Statement on the Privileges of the Youngster (The Geneva Announcement of The Freedoms of the Kid) is the main worldwide report that makes "people, all things considered" acknowledge the commitment requesting that "kids ought to be given the means vital for typical turn of events, both substantially and profoundly. In advancements in the last part of the 1980s, the Worldwide Show on the Privileges of the Youngster presented 4 (four) rights that kids have, to be specific the right to life (endurance freedoms), the kid's more right than wrong to security, youngsters' freedoms to develop and create (improvement privileges) and youngsters' privileges to take part.

From that point onward, the Indonesian government likewise made a significant stride throughout the entire existence of regulation, where the public authority laid out a regulation that explicitly directs kid security through Regulation No. 23/2002 concerning Youngster Security, which was subsequently changed to become Regulation No. 35/2014.

Through these arrangements, it is realized that kid insurance is one piece of public improvement exercises, so the state should really focus on the endurance of the country's youngsters. Aside from that, from the presence of these guidelines, it is trusted that they can turn into a legitimate reason for regulating the execution of youngster insurance for families, the local area, and including the public authority [9]. Barda Nawawi Arief expressed that few parts of kids' inclinations should be viewed as in giving lawful security to youngsters, including [10]:

- a. protection of youngsters' common liberties and opportunities;
- b. child assurance in the legal cycle;
- c. protection of youngsters' government assistance both inside the family, training, and

- climate;
- d. child assurance in instances of confinement and hardship of freedom;
- e. protection of youngsters from all types of double-dealing;
- f. protection of road youngsters;
- g. protection of youngsters from the impacts of war/furnished struggle; and assurance of kids against demonstrations of brutality.

Concerning the freedoms of youngster survivors of criminal demonstrations of abuse bringing about serious wounds in view of the relevant regulations and guidelines.

### **3.2 Rights of Child Victims of Abuse Crimes which Result in Serious Injury Based on the Child Protection Act**

The Youngster Assurance Regulation is the really juridical establishment in executing the commitments and obligations of guardians, families, networks, government, and the state in giving security. In Article 76 C of the Kid Assurance Regulation, it is expressed that "everyone is prohibited from placing, allowing, doing, ordering to do, or participating in violence against children." It is clearly stated here that everyone who is and resides in Indonesia, both Indonesian citizens, and foreigners, is strictly prohibited from allowing acts of violence against children to occur, committing violence, and ordering them to commit acts of violence. The sanctions imposed for violating this provision are regulated in Article 80 paragraph (2), where it is stated that "anyone who violates the provisions of Article 76C which causes serious injury, the perpetrator is subject to a maximum imprisonment of 5 (five) years and or a maximum fine of a lot of Rp. 100,000,000.00 (one hundred million rupiah)."

Here the state also has an obligation and responsibility in terms of providing special protection for children according to the provisions stipulated in Article 59 paragraph (1) of the Child Protection Law. One that is entitled to special protection is a child who is a victim of abuse to the point of experiencing severe physical violence and this is also the obligation of the local government as well as the central government and other institutions to protect victims. The special protection measures that can be taken include:

- a) brief treatment, including treatment or potentially physical, mental, and social recovery, as well as anticipation of illnesses and other medical conditions;
- b) psychosocial help from the hour of treatment to the political decision;
- c) arrangement of social help for youngsters who come from unfortunate families;
- d) arrangement of assurance and help with each legal cycle.

This special protection effort aims to minimize losses suffered by children both physically, psychologically, and socially. If the child is seriously traumatized by the events they experienced, the child has the right to receive child psychologist assistance so that the child's growth and development remain optimal. With respect to extra arrangements connected with unique security endeavors for kids who are casualties of actual viciousness, for this situation, the people who get extreme maltreatment, are managed in Article 69 of the Kid Security Regulation, which can be helped out through: a) scattering and spread of the arrangements of regulations and guidelines that safeguard kid survivors of demonstrations of savagery and; b) Checking, revealing, and forcing sanctions.

The privileges of youngsters who are survivors of the wrongdoing of serious abuse are likewise expressed in Article 71D section (1) of the Kid Security Act which peruses "Each kid who is a casualty as alluded to in Article 59 passage (2) letter b, letter d, letter f, the letter I and letter j reserve the option to apply to the court as the right to compensation which is the obligation of the culprit of the wrongdoing. [11] Arrangements in regards to the execution of compensation for kid casualties are then controlled in Unofficial law Number 43 of 2017

concerning the Execution of Compensation for Youngsters who are Survivors of Wrongdoing. Article 3 of Unofficial law Number 43 of 2017 makes sense of the type of compensation that can be given to youngsters who are casualties of wrongdoing, which can be as [12]:

- a) compensation for loss of property;
- b) compensation for enduring because of a wrongdoing;
- c) reimbursement of clinical or potentially mental treatment costs.

With the presence of unofficial laws administering the allowing of compensation to youngsters who are casualties of criminal demonstrations which are executing arrangements of the Kid Security Act, youngsters who are survivors of criminal demonstrations ought to in any case have the option to satisfy their freedoms so the command in the 1945 Constitution can be satisfied exemplified.

### **3.3 Rights of Child Victims of Abuse Crimes Resulting in Serious Injury Based on the Law on Witness and Victim Protection**

Legitimate assurance for witnesses and casualties is controlled in Regulation Number 13 of 2006 concerning the Security of Witnesses and Casualties which was subsequently altered in Regulation Number 31 of 2014. This is important considering that the protection of witnesses and victims is still not considered when compared to the protection of perpetrators of crimes. According to Muladi, the criminal justice system in Indonesia is particularly concerned with the importance of protecting victims of crime for several reasons, namely [13]:

- a) The first reason is that the criminal law process in this case is related to criminal determination through penitential infrastructure (judges, correctional officers, and so on.
- b) The second reason is the existence of a social contract and social solidarity, which the meaning of the existence of a social contract and social solidarity is that Indonesia as a legal state prohibits acts that are personal even though it is a social reaction to the occurrence of a crime in other words the state prohibits the existence of a crime. the judge himself so that the consequences if there is a crime that occurs and causes victims, the state is obliged to be responsible for the rights of the victims; And
- c) The third reason is that protection for victims of crime is one of the goals of punishment itself as a conflict resolution. With the realization of conflict resolution, it can bring a sense of security to society.

Witnesses and casualties have the privileges recorded in Article 5 section (1) of the Law on Witness and Casualty Security, specifically as follows: a) Get security for individual security, family, and property, and be liberated from dangers connecting with declaration that is destined to be, is being, or has been given; b) Take part during the time spent choosing and deciding types of safety insurance and backing; c) Give data without pressure; d) Get an interpreter; e) Liberated from trapped questions; f) Get data in regards to the advancement of the case; g) Get data in regards to court choices; h) Get data as far as the convict being delivered; I) Keep his personality secret; j) Get another character; k) Get a transitory home; l) Get another spot of home; m) Get repayment of transportation costs on a case by case basis; n) Get legitimate counsel; o) Get transitory everyday costs help until the security cutoff time; and p) Get help.

Child victims of serious maltreatment are also children of witnesses, so they must get the rights contained in Article 5 paragraph (1) of the Witness and Victim Protection Law. Article 6 paragraph (1) of the Witness and Victim Protection Law reads that:

*"Victims of gross human rights violations, victims of criminal acts of terrorism, victims of criminal acts of trafficking in persons, victims of criminal acts of torture, victims of criminal*

*acts of sexual violence, and victims of criminal acts of serious maltreatment, in addition to the rights referred to in Article 5, are also entitled to receive a . medical assistance; and b. psychosocial and psychological rehabilitation assistance”.*

Stephen Schafer offered his viewpoint with respect to 5 (five) frameworks of giving remuneration and compensation to survivors of wrongdoing in his book entitled *The Person in question and his lawbreaker*, namely [14]:

- a) Compensation that is considerate in nature, is given through a common regulation cycle and is discrete from the criminal regulation cycle;
- b) Compensation that is criminal in nature, is given through a criminal regulation cycle;
- c) Restitution which is a combination of common nature and criminal nature, is given through the course of criminal regulation;
- d) Compensation that is affable in nature, gave through criminal regulation cycles and upheld by state income sources; And
- e) Compensation that is unbiased in nature, is given through an exceptional methodology

Then the purpose of this compensation obligation according to Gelaway, namely first to alleviate the suffering experienced by the victim, then as an element that reduces the sentence that will be imposed on the perpetrator, to rehabilitate the perpetrator, and to facilitate the judicial process [15]. Compensation has the main objective of achieving justice and welfare for victims. So, it is necessary to have regulations that are easy to understand, simple, and firm to avoid if there are inaccuracies in the application of the law which result in worsening the situation of victims who should have their rights [16]. Thus, the Law on the Security of Witnesses and Casualties ought to be a reference in each law enforcement process in Indonesia so every observer and casualty, for this situation, a kid who is a survivor of a wrongdoing of serious abuse, has their freedoms satisfied.

### **3.4 Legal Protection of Children in Cases of Physical Violence Causing Serious Injury Perspective of Child Protection Law (Case Study of David Ozora)**

With regards to kid security, it tends to be guaranteed that according to an administrative viewpoint, the articles have planned the insurance of youngsters' freedoms. The problem is that the values of justice outlined in laws and regulations are often defined as positive law which solely originates from the human mind which tends to be compromising so that in such circumstances there is a risk that the norms of justice in the formulation conflict with positive law which others [17].

Based on the rights that must be obtained by children who have been abused to the point of causing serious injuries, there are several things that the author can analyze and relate to the abuse case that was obtained by David Ozora:

First, it is stated in Article 76C of the Child Protection Law that "everyone is prohibited from placing, allowing, doing, ordering to do, or participating in violence against children." From the existing cases, it is known that the perpetrators or those who carried out the persecution, namely Mario Dandy and his friend Shane Lukas who participated in the persecution, had violated the provisions in Article 76C, this was proven by video evidence of the persecution being carried out by the two friends to victim David Ozora. In this case, the perpetrator has violated and carried out the persecution. If you look at the provisions of the Child Protection Act, as for the sanctions imposed if you violate this provision, it is regulated

in Article 80 paragraph (2), where it is stated that "everyone who violates the provisions of Article 76C which causes serious injury, the offender is threatened with imprisonment for a maximum of 5 (five) years and or a maximum fine of Rp. 100,000,000.00 (one hundred million rupiah)."

In this maltreatment case, there were differences in the punishments imposed on the perpetrators, where the perpetrators not only received sanctions based on Article 80 paragraph (2), but received multiple sanctions where the perpetrators were also entangled in Article 355 of the Criminal Code concerning planned serious maltreatment with a maximum threat of 12 years prison because in his chronology the perpetrator was proven to have planned the meeting and the beating with the help of his girlfriend and his friend, Mario's lover deliberately contacted the victim with the reason that he wanted to return his student card, but what the victim did not know was that this was just an excuse so that the victim could be found and in the end it happened Apart from that, the perpetrator was also charged with Article 27 paragraph 3 of the ITE Law because of the actions of the perpetrator who deliberately and without rights recorded and uploaded the violent video to social media with a maximum sentence of 4 years in prison.

The existence of a series of layered articles has an impact on the amount of punishment that will be received by the perpetrator, it will certainly be more severe than if there were no multiple articles. The existence of this layered article also guarantees special protection that has been given by the state to victims, namely the implementation of Article 69 of the Child Protection Law regarding monitoring, reporting, and imposing sanctions.

Second, notwithstanding assurance concerning checking, revealing, and forcing sanctions that have been given by the express, the casualties additionally apply for their right of compensation to the Observer and Casualty Security Organization. Concerning the right to compensation, it is additionally expressed in Article 7A section of Regulation No. 31/2014 concerning Security of Witnesses and Casualties, it is made sense of that survivors of criminal demonstrations reserve the privilege to get compensation as:

- a) compensation for loss of property or pay;
- b) Compensation for misfortunes caused because of enduring straightforwardly connected with a wrongdoing or potentially;
- c) reimbursement of clinical or potentially mental treatment costs.

Seeing that David's condition was always a very worrying victim and he was in a coma for 37 days, David Ozora's family has the right to demand medical, psychological, and psychosocial assistance until the victim's condition recovers. Based on the statement issued by the lawyer for the victim's family Melissa Anggraeni, the restitution proposed by David's side refers to material foundations such as medical expenses incurred for the recovery process, both physically and psychologically [18].

The chairman of the LPSK, Hasto Atmojo Suroyo, stated that the LPSK is currently in the process of calculating the restitution. This right of restitution was made based on the submission of David's family. The computation of this compensation is done by Regulation 31/2014 concerning the Security of Witnesses and Casualties. The point emphasized and put forward by the victim's family is that the victim of a crime has the right to receive compensation from the perpetrator. If it is out, the results of calculating the value of restitution by the LPSK team will later be submitted to the public prosecutor (JPU) who is handling the case and then submit it to the panel of judges [19].

While this is still ongoing, the LPSK has decided to protect David as a victim after conducting the LPSK Leadership Court Session (SMPL). The type of insurance given by the LPSK is the satisfaction of procedural privileges, clinical help, and mental restoration. By the arrangements of Article 1 number 3 of Regulation 13/2006, the LPSK is a foundation that has



the obligation and position to give insurance and different freedoms to Witnesses and additionally Casualties. In Article 1 and Article 6, it has been made sense of that Security is a work to satisfy privileges and is given help to give casualties and witnesses a feeling of safety. The execution is required by the LPSK (Witness and Casualty Security Office) or different establishments by legal guidelines.

The law has given assurance to everybody. The people who are observers or survivors of criminal demonstrations of psychological warfare, criminal demonstrations of dealing with people, criminal demonstrations of torment, criminal demonstrations of sexual viciousness, and criminal demonstrations of serious abuse. The types of assurance given by the LPSK to witnesses and casualties are different, one of which is physical and mental insurance as security and escort, position in safe houses, getting new personalities, clinical help, and giving declaration without being straightforwardly present in court, help psycho-social restoration.

#### **4. Conclusion**

Legitimate insurance for kids is given so that youngsters' privileges are safeguarded, one of which isn't getting viciousness, and lawful assurance is given for equity for the kid. The arrangement of legitimate security to youngsters as survivors of brutality is directed by worldwide regulation and public regulation. In worldwide regulation, it very well may be found in the Show on the Freedoms of the Kid (Global Show on the Privileges of the Youngster), one of which is acquainted with give lawful security to kids. In like manner, in public regulation, kids' privileges are extremely concerned, one of which is the youngster's more right than wrong to get legitimate security in case of brutality against kids is controlled in the 1945 Constitution, Regulation Number 39 of 1999, Regulation Number 35 of 2014, and Regulation Number 31 of 2014 concerning corrections to Regulation Number 13 of 2006 concerning the Assurance of Witnesses and Casualties. We all know that provisions related to protection for children are not only regulated in the Child Protection Law but more broadly than that the Child Protection Law also requires other supporting regulations as part of perfecting the provisions contained therein, including in cases of abuse that occur to David Ozora.

First, it is stated in Article 76C of the Child Protection Law that "everyone is prohibited from placing, allowing, doing, ordering to do, or participating in violence against children." From the existing cases, it is known that the perpetrators or those who carried out the persecution, namely Mario Dandy and his friend Shane Lukas who participated in the persecution, had violated the provisions in Article 76C, this was proven by video evidence of the persecution being carried out by the two friends to victim David Ozora. In this maltreatment case, there were differences in the punishments imposed on the perpetrators, where the perpetrators not only received sanctions based on Article 80 paragraph (2), but received multiple sanctions where the perpetrators were also entangled in Article 355 of the Criminal Code concerning planned serious maltreatment with a maximum threat of 12 years prison because in his chronology the perpetrator was proven to have planned the meeting and the beating with the help of his girlfriend and his friend, Mario's lover deliberately contacted the victim with the reason that he wanted to return his student card, but what the victim did not know was that this was just an excuse so that the victim could be found and in the end it happened Apart from that, the perpetrator was also charged with Article 27 paragraph 3 of the ITE Law because of the actions of the perpetrator who deliberately and without rights recorded and uploaded the violent video to social media with a maximum sentence of 4 years in prison.

Second, in addition to protection in terms of monitoring, reporting, and imposing

sanctions that have been provided by the state, the victims also apply for their right of restitution to the Witness and Victim Protection Agency. With respect to one side to compensation, it is additionally expressed in Article 7A section

(1) Regulation no. 31/2014 concerning Security of Witnesses and Casualties, it is made sense of that survivors of criminal demonstrations reserve the privilege to get Compensation as remuneration for loss of riches or pay; pay for misfortunes caused because of enduring straightforwardly connected with a wrongdoing as well as; repayment of clinical or potentially mental treatment costs. Melissa Anggraeni as the victim's attorney, the restitution proposed by David refers to material foundations such as medical costs incurred for the recovery process, both physically and psychologically. The chairman of the LPSK, Hasto Atmojo Suroyo, stated that the LPSK is currently in the process of calculating the restitution. This right of restitution was made based on the submission of David's family. The estimation of this compensation is completed by Regulation 31/2014 concerning the Security of Witnesses and Casualties. The point emphasized and put forward by the victim's family is that the victim of a crime has the right to receive compensation from the perpetrator. While this is ongoing, the LPSK also decided to protect David as the victim after conducting the LPSK Leadership Court (SMPL) session. The form of protection by the LPSK is the fulfillment of procedural rights, medical assistance.

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