

**LEGAL PROTECTION FOR CHILDREN AS VICTIMS OF VERBAL  
SEXUAL HARASSMENT IN PUBLIC SPACES  
(CASE STUDY OF HARAPAN SATU PRIVATE HIGH SCHOOL, MEDAN)**

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**ABSTRACT**

This thesis discusses legal protection for child victims of verbal sexual harassment in public spaces. Verbal sexual harassment, also known as catcalling, is a common occurrence in public spaces, especially in Indonesia. While public spaces should be a safe place, the behavior is not directly proportional to this. This behavior not only makes children feel unsafe and uncomfortable, but can also cause psychological trauma under Indonesian criminal law and legal protection for victims of verbal sexual harassment (catcalling). The legal umbrella that is expected to provide justice and protection for victims is, in fact, ignored in the slightest. Victims are left to suffer from all the impacts of the sexual harassment they receive, while perpetrators are allowed to roam free without being given the sanctions they deserve.

This study aims to find out the forms of verbal sexual harassment in public spaces, legal protection for child victims of verbal sexual harassment in public spaces, and prevention efforts for child victims of verbal sexual harassment in public spaces. The research method used in this study is empirical legal research. The data sources are Islamic legal sources, primary data, and secondary data. The research location is Jalan Imam Bonjol No. 35. The data collection tool is a questionnaire/survey. This research was conducted at Harapan Satu Private High School, Medan.

Forms of verbal sexual harassment in public spaces include inappropriate comments about physical appearance, whistling, and teasing. Protection for victims of verbal sexual harassment in public spaces is provided in Article 5 of the TPKS Law, which carries a maximum prison sentence of 9 (nine) months and/or a maximum fine of Rp. 10,000,000.00 (ten million rupiah). Prevention of verbal sexual harassment can be done holistically through education, outreach, and the implementation of firm policies.

**Keywords: Civil Inheritance Law, Social Media Accounts, Digital Inheritance, Intangible Assets, Personal Data Protection.**

## **A. Introduction**

Country of Indonesia is not because of the law where the law is made the commander high for make something happen and justice in Indonesia. See, it is explained in Article 1 paragraph (3) of the Basic Law of the Republic of Indonesia because of the Indonesian public since 1945 with the law that because of Indonesia is not because of the law. Law is the raturan-pel the hundreds of the nature force, which determine human behavior in a social environment created by the bodies of the yang obligatory, which violation is it? If had a raturan-pel the earlier was result in taking action, namely with the punishment that.<sup>1</sup>

This is in the law just in Article 28D paragraph (1) of the Constitution because of the Indonesian public. In 1945, which state that “every person has the right to confession, guarantee, protection, and to fair legal certainty to get equal treatment before the law.” From that then the legal protection become something else in life because.

Legal protection can be interpreted as an action to protect and provide protection to the person who has a loss for the other party. Also that society can enjoy the rights granted by the law and get a sense of security from various threats that are given by the apparatus of the legal.<sup>2</sup>

Children are a trust and gift from Almighty God. Who is in him with dignity and respect like a human being. My child looks like the constellation of the nation, my child has an important role in national development and mandatory to get protection from because of this according to just the Basic Law of the Republic of Indonesia because of the Indonesian public. The year 1945 which state that the child has the right to protection from the state.

The current of globalization and its impact from the development in the field of information and communication technology, show the new technology towards children. Technology towards my child looks like

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<sup>1</sup>Antoni & Rifqi Hidayat. (2024). “Legal Protection for Children with Disabilities Who Are Victims of Rape from the Perspective of Islamic Criminal Law”. *Journal of Sharia and Legal Science* 2, No. 2, page 211.

<sup>2</sup>Emy Rosnawati. (2022). “Legal Protection for Women Victims of Sexual Harassment in Public Spaces.” *Mercatoria Journal* 15, No. 2, page 97.

serious (*serious crimes*) that more and more increase over time and significant way threaten and endanger the child's life, broken to personal life and growing up brother child, disturb the sense of comfort, intrude, security, and public order.<sup>3</sup>

Law Number 35 of 2014 amend to Law Number 23 of 2002 concerning Child Protection regulates criminal sanctions for violators who behave towards children but sentencing is but bellum melbelRikan elfelk jelra and belnot able to melcelnopenhow to compresshelnsif telwhat happened towards children.

In 2022, Indonesia will launch the Criminal Code to regulate sexual that is explicit manage the sexual, including catcalling. It is hoped that the TPKS Law will become a legal basis that is more stronger for the catcalling and the protection that is better for the victims. The Forum complain and service report 1,290 cases of sexual towards mother, with 548 of them happening at home or family and 660 others happening in public spaces. Apart from that, there were 168 cases of sexual where the perpetrator is the victim's father, uncle, or older brother.

There are 195 cases of sexual acts committed by the person related to, 408 cases of sexual acts committed by the person who is victim's nali, and 36 cases of sexual acts committed by unknown person victim's guts. Other than that, there were 329 cases of sexual towards mother, with only 480 cases that have been included in nine categories of sexual.

The special active criminal law on catcalling there are rules that manage the creation but, see Article 5 of the TPKS Law on sexual, which states that the person who does non-physical sexual conduct can be punished with maximum imprisonment of 9 months and/or maximum of Rp. 10,000,000,-, Law No. 4 of 2008 on Pornography also has several articles that can be used as a legal basis in catcalling cases, namely Article 1 number 1, Article 9, and Article 35, refer to the Criminal Code Article 315 of the Criminal Code which includes each

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<sup>3</sup>Yesika M. Tamalawe. (2020). "Legal Protection for Children from Sexual Crimes According to Law Number 25 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection". Lex Crimen IX, No.1, page 81.

pelinsultsljust like thatintentionally not belnature of pelncelmaran or pelncelMaran telwriting that is done telrhada pelgood people in publiclverbal or written threats are threatened because na pelmild insultlwith criminal penaltiesllongest prison sentence elfour months and two weeks or imprisonmentlThe maximum amount is Rp. 4,500.<sup>4</sup>

Telagainst the existence of pelamendment to the Criminal Code Number 1 of 2023, pelcatcalling me settingslexperiencing PELthe changes thatlbelpreviously regulated in Article 315 of the Criminal Codelfox melbecomes Article 436 of the National Criminal Code which meanslnjelweld peluncalled for insultslnature of pelncelmaran or pelncelMaran telwriting that is done tel towards other people both in public andleither verbally or in writing, or in the face of the person who has been insultedlr selbut seloral or written methodlwith peldeeds or deedslwith the writing that is sent or readlrecite tolhim, was punished because na pelmild insultlwith criminal penaltieslmaximum prison sentence of 6 (e)lnam) months or criminal penaltieslnda most katelCategory II.

Islam melforbid itlgala beltoltolrasan and peloppression telenter intolevil selsexual. Allah SWT belThe word in surah An-Nur verse 33.

وَلَيْسَتَغْفِرِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا حَتَّى يُغْنِيَهُمُ اللَّهُ مِنْ فَضْلِهِ وَالَّذِينَ يَبْتَغُونَ الْكِتَابَ مِمَّا مَلَكَتْ أَيْمَانُكُمْ فَكَاتِبُوهُمْ يُكْرِهُنَّ فَإِنَّ God willing إِنَّ عِلْمَكُمْ فِيهِمْ خَيْرًا وَآتَوْهُمْ مِّنْ مَّالِ اللَّهِ الَّذِي آتَاكُمْ وَلَا تُكْرَهُوا فَتَيِّبْتُمْ عَلَى الْبِغَاءِ إِنَّ أَدْنَ يُكْرِهُنَّ فَإِنَّ God willing اللَّهُ مِنْ بَعْدِ إِكْرَاهِهِنَّ

It means :

“People who are unable tolget married, helno melguard tolhis (self) purity until Allahlmbelri kelability tolon melrelyouby His grace. (If) the servant you have is melwant pelagreement (tolbelbasan), heldon't you make pelr agreement delwith melrelka if you melngelknow there islmake up to melrelka. Belgive it tolon melrelyou seelpart of Allah's wealth that He has given tolto you. Don't force your slavelrelyour master for meldo pelprostitution, ifmelrelyou seelmyselfwant tolholy, currylna you helno mellook forlgood luck tolworldly life. Who melforce melrelyou, then selIndeed, Allah is Most Mercifullforgive again Almightyldarling (tolon melrelka) seltellah melrelyou were forced”.

Toltoltaste likelsexual selyourself can be interpreted asllike telthe occurrence of pelndelkatan selunwanted sexual intercourse bylh sel selte personltowards other people.

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<sup>4</sup>Nur Hanifahtus Salamah. (2024). “Verbal Sexual Harassment (Catcalling) as a Criminal Act: Towards a Safe Public Space for Women from the Perspective of the Criminal Code and TPKS”. Proceedings Series on Social Sciences & Humanities 17, No. 1, page 306.

Verbal sexual activity does not have to be physical properties, but can also be verbal.<sup>5</sup> For him too, variety, starting from catcalling to pelting, teasing, mother of with meltdowns in content, teasing until whistle, to the woman and making girlfriends sexual through hands or the face, the voice heading towards sexual, and many more.<sup>6</sup>

Verbal catcalling in society is still very rare beautiful thing in the presence of normal. There is still the assumption that catcalling is a normal thing or something to look like for my jokes and compliments. Let's talk about this to become a lover and over again.<sup>7</sup> Verbal catcalling can be categorized as a criminal act that we must understand the elements, principles in criminal law, etc. It values that are in society. The legal basis for the creation of Verbal Catcalling in Indonesia. The role of criminal law can be seen from several articles that are related to Verbal Catcalling.<sup>8</sup>

The person who is involved in sexual harassment towards children needs to be punished because especially if it comes to causing wounds or burns or death. Then the children also have to get his rights. My way is good fall from legal protection and my recovery mental or psychological. Let's become a case of sexual harassment. In the development of the situation like this, legal wisdom used in the process. The legal system is not able to guarantee legal protection towards children from sexual harassment and not to suggest justice for children.

Based on background the back of the case described above, then we write to attract for study and we will do more on legal protection towards the victim's child. Sexual harassment with carrying the title "Protection of Children as Victims of Verbal Sexual Harassment in Public Spaces: A Case Study of Harapan Satu Private High School, Medan".

## B. Research Methods

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<sup>5</sup>Rosnia Paradian & Eko Soponyono. (2022). "Legal Protection for Victims of Sexual Harassment." Indonesian Journal of Legal Development 4 No. 1, page 62.

<sup>6</sup>Siti Nurahlin. (2022). "Legal Protection for Victims of Verbal Sexual Harassment (Catcalling) in the Law on Sexual Violence Crimes". Jatiswara Journal 37 No. 3, page 315.

<sup>7</sup>Murakaba & Mohammad Rafi'e. (2023). "Legal Review of Catcalling (Verbal Sexual Harassment) Based on Law No. 12 of 2022 concerning Criminal Acts of Sexual Violence in Indonesia". Justicia Journal, Faculty of Law, Darul 'Ulum University, Jombang 12 No. 2, page 232.

<sup>8</sup>Ibid., page 224.

A study cannot be called research if it does not have a research method.<sup>9</sup> Research methods are one of the factors of a problem that will be discussed. The study was conducted using secondary data which was analyzed qualitatively using the Desk Research Method. The literature materials used in writing this research are several references originating from research results, studies, and reviews of several writings which are then summarized into a scientific paper.<sup>10</sup>

## **C. Discussion**

### **1. Forms of Verbal Sexual Harassment in Public Spaces**

Data from the Women and Children Protection Information System (Simfoni PPA) indicates a state of emergency regarding sexual violence in Indonesia. There was a sharp spike from 19,000 cases in 2023 to over 31,000 in 2024. The majority of victims are women, with particularly alarming figures among children. The National Commission on Violence Against Women (Komnas Perempuan) has classified 15 forms of sexual violence, with sexual harassment being one of the most frequently highlighted due to its degrading impact on human dignity.

Sexual harassment isn't always physical; it can also be verbal and situational. According to Mayer, there are three important aspects in defining it: behavior, situation, and legality. In public spaces, we often encounter seven forms of harassment, ranging from physical comments perceived as "compliments" when in fact they are inappropriate, to stalking, and even catcalling. It's important to understand that any form of unwanted sexual advances, no matter how minor, is categorized as harassment.

Many people consider whistling or physical comments to be normal, but for the victims, this constitutes intimidation. A recent study conducted in January 2026 on students at Harapan Satu High School in Medan revealed that the most common form of harassment was obscene jokes or remarks, reaching 73.4%. This demonstrates that our public spaces are not yet completely safe, especially for teenagers, who are the primary targets of this verbal harassment.

From an Islamic perspective, verbal sexual harassment is completely contrary to religious values. Islam exists to honor human beings, both men and women. As affirmed in

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<sup>9</sup> Hanifah, I., Hariyanto, H., Ginting, L., Koto, I., & Syafriana, R. (2026). Legal Protection of Indonesia's Fisheries from Foreign Investment: A Social-State Approach. *Jurnal IUS Kajian Hukum dan Keadilan*, 14(1).

<sup>10</sup> Simatupang, R. S. A., Hanifah, I., & Mansar, A. (2025). The Concept of Restitution as Legal Accountability in the Crime of Human Trafficking. *Pena Justisia: Media Komunikasi dan Kajian Hukum*, 24(1), 3554-3462.

Surah An-Nisa, verse 124, Allah promises equality in rewards for righteous deeds and forbids mistreatment of anyone. Therefore, combating sexual harassment is not merely a matter of fulfilling the mandate of state law, but also a form of our obedience to uphold the dignity of fellow human beings, as per religious teachings.

## **2. Legal Protection for Child Victims of Verbal Sexual Harassment in Public Spaces**

Children are the most valuable assets for families and the nation, playing a strategic role in determining the future direction of the nation's prosperity. Legally and biologically, children are individuals who still require nurturing and affection for their development. However, in reality, children are often the most vulnerable group to violence, including verbal sexual harassment in public spaces. Legal protection is not merely a formality, but a state guarantee to ensure every child's basic right to live without fear, in accordance with the mandate of God Almighty and the constitution.

Research data as of January 2026 reveals alarming facts. Public roads are the most unsafe locations, with a percentage of nearly 50%, followed by schools. This finding undermines the perception that schools are always safe zones. Even more shocking, the perpetrators are not only strangers but also from their closest social circles, such as friends and relatives. This situation increases children's vulnerability because threats can come from anywhere, even from people they know.

Verbal harassment like catcalling is more than just a joke; it's a psychological assault on the victim. The short-term impacts include anger and humiliation, while the long-term impacts can be profound trauma. Beyond psychological harm, victims also suffer social harm due to societal stigma, as well as economic loss if they have to pursue legal action. Surveys show that the majority of victims desperately need legal protection and moral support to recover. Without proper treatment, this trauma can permanently hinder a child's development.

Indonesia already has quite comprehensive legal instruments. These include the 1945 Constitution and the 2022 TPKS Law, which explicitly categorizes non-physical harassment as a criminal offense. Furthermore, the Criminal Code (KUHP) provides sanctions for violations of public morality. In fact, the Ministry of Religious Affairs and the Ministry of Education and Culture have issued specific regulations to address sexual violence in educational institutions. This legal framework provides certainty that actions such as sexually suggestive remarks or demeaning remarks can be subject to imprisonment or fines.

Despite existing regulations, 69.6% of respondents still considered their effectiveness inadequate. Barriers such as procedural complexity and social stigma discourage victims from reporting. Therefore, we need a dual approach: prevention through massive education in schools and communities, and repression through indiscriminate law enforcement. Firm law enforcement is key to creating a deterrent effect on perpetrators. Child protection is a collective responsibility. With strong synergy, we can ensure children grow up in an environment that respects their human dignity.

### **3. Preventive Measures for Child Victims of Verbal Sexual Harassment in Public Spaces**

Verbal sexual harassment, often known as catcalling in public spaces, is more than a minor annoyance. It is a crime that violates human dignity, especially when the victims are children. The impacts are profound, ranging from psychological trauma to marginalizing victims and limiting their social interactions. It is important to understand that this crime is not innate, but rather the result of social interactions and environmental conditions that allow it to occur. Therefore, our focus must shift from simply punishing perpetrators to protecting and restoring the full rights of victims.

Indonesia has strong legal instruments to protect child victims. Through the Witness and Victim Protection Law and the Child Protection Law, the state guarantees victims' rights to rehabilitation, legal assistance, and identity protection to prevent negative labeling in society. A crucial point here is the state's obligation to ensure that perpetrators provide restitution or compensation to restore the victim's well-being. This protection extends beyond the legal process in court, but also includes guarantees for the child's physical and mental safety during the process.

In criminal policy, there are three main approaches to addressing verbal harassment. First, a preemptive approach focuses on comprehensive sexual education from an early age so children can protect themselves. Second, a preventive approach involves the role of the family and the community, such as intensive parental supervision and the promotion of norms of decency in society. Third, a repressive approach, namely consistent law enforcement. The penalties imposed must be economical yet effective, meaning they are truly capable of preventing recurrence and raising public awareness that verbal harassment is a violation of the law.

People are often confused about what to do when they witness verbal harassment in public spaces. We can apply the 5D method. We can reprimand the perpetrator directly if the



situation is safe, or use a diversionary approach, such as pretending to know the victim, to break up the interaction. If you feel threatened, report the incident immediately to security. Equally important is reassuring the victim after the incident so they don't feel alone, and recording the incident as strong evidence if the victim decides to pursue legal action. These steps are a form of social protection that anyone can implement.

In conclusion, preventing verbal sexual harassment against children is not solely the responsibility of the police, but rather a collective responsibility. Government institutions such as the Ministry of Women's Empowerment and Child Protection must continue to promote educational campaigns, while we as individuals must boldly take a role in maintaining norms in public spaces. Research shows that raising collective awareness and comprehensive education are key to reducing catcalling rates. With a strong commitment from educational institutions, the government, and the community, we can create a safe environment where children can grow up without fear of harassment.

#### **D. Conclusion**

Based on the description of the discussion analysis that has been done in the previous chapter, it can be concluded that various answers to the formulation of the problem in this research are forms of verbal sexual harassment in public spaces, such as catcalling, impolite comments about the body, obscene jokes/speech, and sexual nuanced calls, these are actions that often occur in public spaces and can cause discomfort, trauma, and a feeling of insecurity for victims, especially children and women. The survey results state that those who often become victims of sexual harassment are women and the location of the incident is on public roads, transportation, and around schools. Based on the results of research with 79 respondents, the harassment experienced was in the form of harassment of obscene jokes/speech (73.4%), whistling or catcalling (70.9%), body language comments (63.3%), and sexual nuanced calls (59.5%). It can be concluded that the form of verbal sexual harassment that is often experienced by children is obscene jokes/speech. Efforts to increase legal protection by educating about the law, strict law enforcement, socialization in schools, and active community involvement. The legal protection provided to victims of sexual harassment in public spaces can refer to Article 5 of Law Number 12 of 2022 concerning the Crime of Sexual Violence, which states that any person who commits non-physical sexual acts aimed at the body, sexual desires, and/or reproductive organs with the intention of degrading the dignity and honor of a person can be subject to a maximum prison sentence of 9 (nine) months and/or a maximum fine of IDR

10,000,000.00 (ten million rupiah). Prevention of sexual harassment verbally in public spaces can be done through education, socialization, self-protection, self-protection such as dressing modestly and implementing strict policies, such as: increasing public awareness and education about sexual harassment, documenting sexual harassment acts also helps prevent recurrence of incidents, and reporting perpetrators to the authorities is an effective preventive step

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