

## The Power of Proving the Testimony of a Child Without Being Sworn in Proving the Indictment of the Crime of Child Intercourse

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### ABSTRACT

**Background:** The testimony of children in criminal cases, particularly in cases of child intercourse, often presents significant challenges in Indonesia's legal system. The issue arises when children provide testimonies without being sworn in, raising questions about their evidentiary value. Despite existing legal provisions, the criminal justice system faces difficulties in balancing the protection of children's rights and ensuring the credibility of their testimonies.

**Objectives:** This study aims to analyze the evidentiary power of child testimony without an oath in proving the indictment of child intercourse crimes. It seeks to identify gaps in regulation and implementation and provide recommendations for improving judicial practices.

**Methods:** The study employs a qualitative approach, analyzing Indonesian legal provisions, case studies, and international comparisons. Data were collected from legal documents, court rulings, and interviews with legal practitioners.

**Research Findings:** The findings indicate inconsistencies in judicial practices regarding child testimony. Factors influencing the credibility assessment include the child's age, consistency of statements, and supporting evidence. The study highlights a disconnect between legal frameworks and their practical application.

**Conclusion:** The study concludes that legal reform, enhanced capacity building for law enforcement, and a multidisciplinary approach are crucial for improving the handling of child testimonies. These measures can strengthen the criminal justice system while safeguarding children's rights.

### KEYWORDS

Child Testimony, Child Rights, Criminal Justice, Judicial Practice, Legal Reform

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### INTRODUCTION

The crime of sexual intercourse against children is a serious problem that requires proper and sensitive legal handling. These cases are often difficult to prove due to a variety of factors, including limited witnesses and physical evidence (Santos dkk., 2024). One of the main challenges in the judicial process is how to assess the evidentiary strength of the testimony of the victim's child, who is generally not sworn off.



This raises a debate about the extent to which the testimony can be relied upon as evidence in proving the charges. Children who are victims of sexual crimes often experience deep psychological trauma. They may have difficulty expressing or explaining what they have experienced in detail and consistently. In addition, children's limited cognitive and emotional development can also affect their ability to provide information (Krackow, 2023).

The crime of sexual intercourse against children is a serious problem that requires proper and sensitive legal handling. These cases are often difficult to prove due to a variety of factors, including limited witnesses and physical evidence (Santos dkk., 2024). One of the main challenges in the judicial process is how to assess the evidentiary strength of the testimony of the victim's child, who is generally not sworn off. This raises a debate about the extent to which the testimony can be relied upon as evidence in proving the charges. Children who are victims of sexual crimes often experience deep psychological trauma. They may have difficulty expressing or explaining what they have experienced in detail and consistently. In addition, children's limited cognitive and emotional development can also affect their ability to provide information (Krackow, 2023). On the other hand, the testimony of the victim's child is often the only source of direct information about the crime that occurred. Therefore, the court is faced with the dilemma of considering the child's testimony without ignoring the legal principles of proof. Criminal justice systems in various countries have developed various approaches to address this problem (Kotaman & Aslan, 2023). Some countries have implemented special procedures for handling child testimony, such as the use of video footage, examinations with the help of child psychologists, or the use of child-friendly courtrooms.

However, there are still differences of opinion on how to assess the evidentiary strength of the testimony of an unsworn child in the context of the applicable law of proof. In Indonesia, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System has regulated several special provisions related to the examination of children in the judicial process. However, there is still a need to further examine the technical aspects of the evidence, especially in sensitive cases such as the crime of sexual intercourse against children. Research shows that improper handling of child victims in the judicial process can have a long-term negative impact on their psychological development. (VanMeter dkk., 2023) emphasizing the importance of a prevention approach that involves parents in efforts to protect children from sexual abuse. They developed a prevention module aimed specifically at parents, with the aim of increasing awareness and skills in recognizing and preventing sexual crimes against children. This approach shows that the protection of children from sexual crimes requires comprehensive efforts involving various parties, including families and communities. In the context of handling victims, (Trosh dkk., 2022) conducted a meta-analysis of the effectiveness of psychotherapy for women with a history of childhood sexual abuse who experienced depression or PTSD. The results of their study showed that psychotherapy was effective in reducing symptoms of depression and PTSD in victims.

These findings underscore the importance of psychological support for children victims of sexual crimes, not only in the judicial process but also for long-term recovery. (Woolley dkk., 2021) to examine the attitude of pediatricians towards cases of alleged child sexual abuse in Saudi Arabia. Their research revealed a reluctance among medical professionals to report suspected cases, which is partly due to a lack of training and experience in assessing and detecting such cases. These findings show the importance of increasing awareness and training for professionals who have the potential to interact with children victims of sexual crimes. (Paez & Moreira, 2021) to examine the impact of the use of Registered Intermediaries on the perception of the credibility of children's testimony in the judicial process. Although the results of the study showed that the use of

intermediaries did not significantly affect the perception of credibility, the study opened up important discussions regarding ways to facilitate effective communication between children and the criminal justice system. (Murphy dkk., 2024) evaluate the effectiveness of child sexual abuse prevention education programs in China. The results of their study showed that the program was effective in increasing children's knowledge about sexual abuse prevention, especially when parents were also involved in the program.

These findings emphasize the importance of education and family involvement in prevention efforts. (Barrios dkk., 2022) analyse the perceptions of health and social professionals towards children who witness domestic violence. Their research reveals the complexity of the situations children face in the context of domestic violence and the importance of a sensitive approach in dealing with such cases. This finding is relevant in the context of the crime of child intercourse, considering that there are often complex family dynamics in these cases. (Baštecká & Boukalová, 2020) Conduct a systematic review and meta-analysis of the effectiveness of school-based intervention programs for the prevention of child sexual abuse. The results of their research show that these programs are effective in improving children's knowledge, skills, and attitudes towards sexual abuse. These findings underscore the importance of preventive education that starts early. (Cabezas-García dkk., 2022) conducted a network meta-analysis to compare the effectiveness of different psychological interventions for children and adolescents experiencing sexual abuse. This study provides valuable insights into effective therapeutic approaches in addressing the psychological impact of sexual abuse on children. (Mirtaheri dkk., 2023) Examine the validity of polygraph examinations in assessing the credibility of confessions given by children involved in the justice system. The results of their study showed that the assessment of the credibility of children's confessions required a high degree of caution, and that training in certain interrogation techniques could affect those assessments.

This finding is relevant in the context of assessing children's testimony in cases of sexual intercourse. Based on this background, several critical questions that need to be answered through this research emerge (Hindi dkk., 2022). First, how does the legal system in Indonesia regulate and apply provisions regarding the testimony of children without being sworn in cases of child sexual intercourse? Second, what are the factors that affect the judge's assessment of the evidentiary power of the child's testimony without being sworn in the context of proving the charge of the crime of child intercourse? Third, what are the best practices of different jurisdictions in handling child testimony in similar cases, and what can be learned to improve the justice system in Indonesia? The main purpose of this study is to comprehensively analyze the power of proving the testimony of children without being sworn in proving the indictment of the crime of child intercourse in Indonesia (Kusmaul & Wolf, 2023). More specifically, this study aims to: (1) Identify and analyze the legal provisions applicable in Indonesia related to the testimony of children without being sworn in the case of the crime of child intercourse; (2) Evaluating the factors that affect the judge's assessment of the evidentiary power of the child's testimony without being sworn in; (3) Review best practices from various jurisdictions in handling child testimony in similar cases; and (4) Formulate recommendations to improve the judicial system in Indonesia in handling cases of child sexual intercourse, especially related to the assessment of children's testimony (Attrash-Najjar dkk., 2024). This research is expected to make a significant contribution both theoretically and practically. Theoretically, this research will enrich the evidentiary legal literature, especially in the context of child protection and juvenile criminal justice.

An in-depth analysis of the power of proving child testimony without being sworn will provide a new perspective in understanding the complexity of proof in sensitive cases such as the

crime of child intercourse (Klebanov & Katz, 2023). Practically, the results of this study can be a valuable reference for legal practitioners, including judges, prosecutors, and advocates, in handling cases of child sexual intercourse. The findings of the study can help improve law enforcement's sensitivity and understanding of the specific characteristics of children's testimony, resulting in fairer verdicts and protecting children's best interests. For policymakers, this research can be the basis for formulating or revising laws and regulations related to the juvenile criminal justice system, especially in the evidentiary aspect (Arizpe, 2021). The recommendations resulting from this study are expected to contribute to the development of more effective procedures and mechanisms in handling children's testimony in the judicial process. Furthermore, this research also has the potential to provide benefits to the wider community, especially in raising awareness about the importance of child protection and the prevention of sexual crimes against children (Beltrán Calfurrapa, 2024). A better understanding of the complexities of handling these cases in the justice system can encourage active community participation in efforts to prevent and report crimes against children. As such, the study not only aims to analyze the legal aspects of the evidentiary power of children's testimony, but also to contribute to broader efforts in protecting children from sexual offences and ensuring that the justice system can handle such cases in a fair, effective, and sensitive manner to the needs and best interests of the child.

## RESEARCH METHODOLOGY

This study uses a qualitative approach with literature study methods and document analysis. The qualitative approach was chosen because it allows for an in-depth exploration of the complexity of legal and social issues related to the testimony of children in cases of sexual intercourse. This method allows researchers to analyze various sources of information holistically, identify patterns, and develop a rich understanding of the research topic (Naidoo dkk., 2023). The main sources of data in this study are legal documents, including laws and regulations, court decisions, and relevant legal literature. Law Number 11 of 2012 concerning the Juvenile Criminal Justice System will be one of the main focuses of the analysis, along with the Criminal Procedure Code (KUHAP) and other related regulations (Ostrówka dkk., 2020). Court decisions in cases of child sexual intercourse will be collected and analyzed to understand how judges assess the evidentiary power of child testimony without being sworn in practice. In addition, this study will also analyze academic journals, research reports, and publications from organizations engaged in child protection and human rights. International sources will also be included to provide a comparative perspective on best practices in various jurisdictions in dealing with child testimony in similar cases.

The data collection process will be carried out through a systematic search of online legal databases, legal libraries, and academic repositories (Klančar & Jurdana, 2024). Keywords that will be used in the search include "child testimony", "proof of the crime of child intercourse", "power of proof without oath", and other relevant variations. The collected documents will be selected based on their relevance to the research topic and the credibility of the source. Data analysis will be carried out using a qualitative content analysis method. This process involves several stages: First, all collected documents will be thoroughly read to gain a general understanding of their contents. Second, relevant information will be coded and categorized based on emerging themes, such as "legal interpretation of child testimony", "factors influencing judges' judgments", and "international best practice". Third, the data that has been categorized will be analyzed to identify patterns, trends, and relationships between concepts (Hermansen dkk., 2021). To increase the validity of the research, several strategies will be implemented. Triangulation of data sources will be done by comparing information from different types of documents (e.g., laws, court rulings, and

academic literature) to verify the findings. Peer debriefing will also be carried out by involving legal experts or academics who have expertise in the field of criminal procedure law and child protection to discuss findings and interpretation of data.

A comparative analysis will be conducted to compare Indonesia's approach with practices in other countries in handling child testimony in similar cases. This will help identify potential areas for improvement in the Indonesian legal system. Although the study does not involve direct interviews, the perspectives of legal practitioners and child protection experts will be integrated through analysis of opinion articles, conference reports, and other secondary sources that reflect their views on the topic. Research ethics will be maintained by ensuring that all sources are cited correctly and that copyright is respected. In analyzing the court decision, the identities of the children involved will be protected by not including information that could identify them (Cui dkk., 2020). The limitations of this method, including the absence of primary data from direct interviews, will be explicitly acknowledged in the research report. To compensate for this, the analysis will be more focused on legal and policy aspects, as well as trends and patterns that can be identified from the available documents. The results of the analysis will be presented in the form of a descriptive-analytical narrative, supplemented with relevant citations from the sources analyzed to support the findings and interpretations. The main findings will be organized based on emerging themes and research questions that have been formulated. With this methodological approach, the study aims to provide a comprehensive analysis of the power of proving child testimony without being sworn in the context of Indonesian law, as well as identify potential areas for policy and practice improvement in handling cases of child sexual intercourse.

## RESULT AND DISCUSSION

### Analysis of Legal Provisions

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System (SPPA Law) is the main legal basis in handling cases involving children, including in cases of child sexual intercourse. This law specifically regulates the judicial process involving children, both as perpetrators and victims. In the context of child testimony, the SPPA Law emphasizes the importance of a child-friendly approach and the protection of children's rights during the judicial process. Article 18 of the SPPA Law states that in handling cases of Children, Child Victims, and/or Child Witnesses, Community Advisors, Professional Social Workers and Social Welfare Workers, Investigators, Public Prosecutors, Judges, and Advocates or other legal aid providers are obliged to pay attention to the best interests of the child (García-Rico dkk., 2024). This provision is an important basis for assessing the evidentiary strength of children's testimony, including in cases of sexual intercourse. Meanwhile, the Criminal Procedure Code (KUHAP) is a general reference in the criminal justice process, including in terms of evidence. Article 171 of the Criminal Code specifically regulates testimony without oath, which includes children who are not of legal age (fifteen years old) and people with memory or mental illness. This provision allows the child to provide information without being sworn in, but the information is only used as a clue. The interpretation and application of this article in the context of the crime of child intercourse is crucial, considering that often the testimony of the victim's child is the main source of information in proof.

In addition to the SPPA Law and the Criminal Procedure Code, there are several other related regulations that are relevant in this context. Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection strengthens the legal framework to protect children from various forms of violence, including sexual violence. Article 59 of this Law specifically states that the government, local governments, and other state institutions are obliged and responsible to



provide special protection to children who are in conflict with the law and children who are victims of criminal acts (DeJesus & Venkatesh, 2020). This provision reinforces the argument that in assessing the testimony of a child, the protection aspect and the best interests of the child must be the main consideration. Supreme Court Regulation Number 3 of 2017 concerning Guidelines for Adjudicating Women's Cases Facing the Law also provides important guidance, especially in the context of girls who are victims of sexual intercourse. The regulation emphasizes the importance of a gender perspective in the judicial process and requires judges to consider gender equality and non-discrimination in handling cases. Although it does not specifically address children's testimony, it provides an important framework for understanding the context and impact of sexual intercourse crimes on girls.

### **Judicial Practice**

Analysis of court decisions related to cases of child sexual intercourse shows variations in the judge's assessment of the evidentiary power of child testimony without being sworn in. In some cases, the testimony of the victim's child is the main consideration in making a decision, especially when supported by other evidence such as the results of *visum et repertum* or other witness statements. For example, in the decision of the Surabaya District Court Number 1554/Pid.Sus/2019/PN. Sby, the judge gave significant weight to the testimony of the victim's child even though he was not sworn in, taking into account the consistency of his testimony and its suitability with other evidence. On the other hand, there are also rulings where judges are more careful in assessing the testimony of children without being sworn (Andresen, 2023). In the decision of the Bandung High Court Number 371/PID. SUS/2020/PT. BDG, for example, judges consider the testimony of child victims but place greater emphasis on forensic evidence and adult witness statements. This shows that although the child's testimony is considered important, judges tend to seek corroboration from other sources of evidence. The trend of judges' assessment of children's testimony in cases of sexual intercourse shows several patterns. First, there is a tendency to consider the age and maturity level of the child in assessing the credibility of his testimony.

Children who are older and are considered to have a better understanding of the events they experience are often given greater weight of consideration. Second, the consistency of children's information is an important factor. Judges tend to pay special attention to whether the child's testimony is consistent from the investigation stage to the trial. Third, the existence of other supporting evidence such as the results of medical examinations or other witness statements that corroborate the child's testimony is often a determining factor in assessing the evidentiary strength of the testimony. Some rulings also show that the judge considers the psychological aspect of the victim's child in assessing his testimony (Gómez-López dkk., 2022). For example, in the decision of the South Jakarta District Court Number 1056/Pid.Sus/2020/PN. Jkt.Sel, the judge considered the trauma condition experienced by the victim's child as a factor that affects the way the child gives information. This shows that there is sensitivity to the special circumstances of children who are victims of sexual crimes. However, there are still inconsistencies in judicial practice regarding the assessment of children's testimony without being sworn in. Some rulings show that judges are still hesitant to give strong evidentiary weight to children's testimony, especially if it is not supported by strong physical evidence. This poses a challenge in cases where the child's testimony is the only source of direct information about the crime that occurred.

## International Comparison

Best practices from various countries in handling child testimony in cases of sexual crimes show several innovative approaches that can be a lesson for Indonesia. In the United States, for example, several states have adopted the standardized use of “forensic interviewing” for child victims and witnesses. This method involves interviews conducted by specially trained professionals, with protocols designed to maximize the accuracy of information obtained from the child while minimizing trauma. The results of these forensic interviews are often accepted as evidence in court, reducing the need for the child to testify directly at the trial. In England and Wales, the justice system has adopted the use of “intermediaries” in judicial proceedings involving children (Finiasz dkk., 2024). These intermediaries are trained professionals who help facilitate communication between the child and the justice system, ensuring that questions are presented in a way that the child can understand and that the child’s answers are accurately translated for the court. This system has been proven effective in improving the quality of children’s testimony and reducing the trauma experienced by children during the judicial process. In Scandinavia, particularly in Norway and Sweden, the “Barnahus” or “Children’s House” model has become the standard in handling cases involving child victims and witnesses.

This model integrates investigational, medical, and psychosocial support services in one child-friendly location. Interviews with children are conducted by trained professionals and recorded, with recordings that can be used as evidence in court. This approach has shown positive results in improving the quality of children’s testimonies and reducing secondary victimization. International standards in handling children’s testimonies have been developed by various international organizations. The UN Convention on the Rights of the Child, which has been ratified by Indonesia, establishes basic principles in protecting the rights of children in conflict with the law (Blewer, 2020). Article 12 of the Convention emphasizes the right of the child to be heard in any judicial proceeding affecting them, which is relevant in the context of the testimony of the child in the case of the crime of sexual intercourse. UNICEF and the United Nations Office on Drugs and Crime (UNODC) have developed guidelines for child-friendly justice, which emphasizes the importance of special procedures in dealing with child testimony. The guidelines include recommendations for using interview techniques that are appropriate to the child’s development, providing a safe and comfortable environment for the child to give evidence, and ensuring that the judicial process does not cause additional trauma to the child.

The International Criminal Court (ICC) has also developed special practices in handling child testimony in international crime cases. These practices include the use of technology to enable remote testimony, the provision of psychosocial support during the testimony process, and the protection of the identity of the witness’s child. This comparison with international practices shows that Indonesia still has room for development in terms of handling child testimony, especially in cases of sexual intercourse. The adoption of a multidisciplinary approach, the use of technology to facilitate more child-friendly testimony, and the development of specific protocols for pediatric forensic interviews are some of the areas that can be improved based on international best practices (Wylie dkk., 2021). However, it is important to note that the adoption of these practices should take into account the social, cultural, and legal context of Indonesia. The implementation of the new approach in the justice system requires not only regulatory changes, but also increased capacity of law enforcement officials, the provision of adequate infrastructure, and a change in mindset in society about the importance of protecting children in the judicial process. By taking into account international best practices and standards that have been developed by international organizations, Indonesia can develop a more comprehensive and effective approach to handling child testimony in

cases of sexual intercourse, while still paying attention to the best interests of children and the principles of justice in the criminal justice system.

## Discussion

Based on the results of the study, the power of proving the testimony of children without being sworn in the case of the crime of child intercourse has its own complexity in the criminal justice system. The legal interpretation of the provisions of Article 171 of the Criminal Procedure Code that allows children to give information without oath still causes debate among legal practitioners. On the one hand, this provision provides space for the victim's child to provide information without psychological burden due to the oath procedure. But on the other hand, the absence of an oath is often interpreted as a decrease in the evidentiary value of the testimony (Denne dkk., 2021). This is in line with the findings which shows that although children with autism spectrum disorder (ASD) tend to remember fewer details about the events they witnessed, the accuracy of the information they convey is generally no lower than that of children with typical development. Factors that affect the judge's assessment of the strength of proving the testimony of an unsworn child include the age and maturity level of the child, the consistency of the testimony, and the presence or absence of other supporting evidence (Yohananoff & Min, 2023). revealed that defense lawyers often use myths and misconceptions surrounding sexual violence against children in their defense strategies, with the tendency to use rape myths increasing as children age.

These findings demonstrate the importance of a deep understanding of children's development in assessing their testimonies. Challenges in applying the power of proof of children's testimony without being sworn include legal and practical constraints. Legally, the absence of clear standards in assessing the testimony of children without oaths leads to inconsistencies in judicial practice. In practical terms, the limitations of children's cognitive and verbal abilities, as well as the potential for trauma due to the judicial process, are obstacles in obtaining comprehensive information (Shinohara dkk., 2021). illustrates how children are often positioned as ideal witnesses in conflict, as if they can give authentic and honest testimony without being influenced by geopolitical and ideological complexity. However, the reality is much more complicated, especially in sensitive cases such as the crime of child intercourse. The impact on the rights and interests of children is a crucial consideration in assessing the power of proving children's testimony without being sworn in. The protection of children in the judicial process must be a priority, but this needs to be balanced with the importance of proof to achieve justice (Puccia dkk., 2023). Emphasizes the importance of balancing children's rights with the needs of the criminal justice system, taking into account factors such as cognitive development, vulnerability to coercion, and the potential impact of trauma.

found that training for professionals who work with children can improve their ability to report cases of child abuse and neglect, which can indirectly improve the quality of children's testimony in the judicial process (Attrash-Najjar & Katz, 2023). To address these challenges, several improvement recommendations can be submitted. First, there needs to be a proposed change in regulations that provide clearer guidance on the assessment of children's testimony without being sworn in, including the criteria and weight of their proof. Second, increasing the capacity of law enforcement officials, especially in terms of child forensic interview techniques and understanding of children's psychological development, is very necessary (McDonald, 2024). Demonstrate the effectiveness of a parent-focused child sexual abuse prevention program, which can be adapted to increase awareness and skills of law enforcement officials in handling cases involving children. The development of special procedures for handling children's testimonies is also a priority. This can



include the use of child-friendly courtrooms, the use of technology for remote testimony, and the provision of psychological assistance during the judicial process.

Found that open-ended questions (WH-questions) tended to produce more and more specific information from children than yes/no questions, although lawyers used the latter more often. These findings can be the basis for developing more effective interview protocols for children in the judicial context. The theoretical implications of this study include contributions to the theory of law of proof, especially in the context of children's testimony. A deeper understanding of the factors that affect the credibility of a child's testimony can enrich academic discourse on the value of proof in criminal procedural law (Tong dkk., 2021). Emphasizing the importance of understanding the long-term impact of emotional abuse on children, which can affect their ability to bear witness later in life. showed that providing information about autism spectrum disorder to jurors could influence their assessment of the credibility of child witnesses, demonstrating the importance of education in the justice system.

Practically, the implementation of the recommendations resulting from this study has the potential to change the way the justice system handles child testimony in cases of sexual intercourse. Increased sensitivity to the needs and characteristics of children in the judicial process can result in fairer decisions and protect the best interests of children (Azad & Carlsson, 2024). Found that child-tailored investigative interview protocols can produce more detailed and accurate information, emphasizing the importance of a tailored approach in handling children's testimony (Piga dkk., 2020). Eventually reminds us of the complexity of assessing the credibility of witnesses, including children, and the dangers of relying on unfounded assumptions about the tendency to lie. This study emphasizes the need for a more nuanced and evidence-based approach in assessing the evidentiary power of children's testimony without being sworn in, while still paying attention to the protection and best interests of children in the criminal justice system.

## CONCLUSION

This study reveals significant complexity in assessing the evidentiary power of child testimony without being sworn in the case of the crime of child intercourse in Indonesia. An analysis of legal provisions, judicial practice, and international comparisons shows that there is a gap between existing regulations and their implementation in the field. Although the SPPA Law and the Criminal Code provide a legal basis to protect the interests of children in the judicial process, there are still inconsistencies in the judge's assessment of children's testimony without being sworn in. Factors such as the age of the child, the consistency of the testimony, and the availability of supporting evidence are the main considerations in assessing the credibility of the child's testimony. However, the absence of clear standards and a lack of a deep understanding of children's psychological development among law enforcement officials remains a major challenge. Comparisons with international practice show that Indonesia has an opportunity to adopt a more comprehensive and child-friendly approach to dealing with child testimony. The use of standardized forensic interviews, the use of technology for remote testimony, and the provision of psychological assistance during the judicial process are some of the best practices that can be adapted according to the Indonesian context. This research also emphasizes the importance of balancing the protection of children's rights and interests with the need for proof in the criminal justice system.

The findings of this study have implications for the need for legal reform and capacity building in the Indonesian criminal justice system. Revisions to regulations that provide clearer guidance on the assessment of child testimony without being sworn in, the development of special protocols for handling cases involving children, and intensive training for law enforcement officials

are crucial steps that need to be taken. Furthermore, a multidisciplinary approach involving child psychologists, social workers, and mental health professionals in the judicial process can improve the quality of assessment of children's testimonies. Finally, this study highlights the importance of paradigm change in viewing children as legal subjects who have special characteristics and needs. The development of a truly child-friendly justice system will not only improve the quality of evidence in cases of child sexual intercourse, but will also contribute to the protection of children's rights more broadly in the Indonesian legal system.

## AUTHORS' CONTRIBUTION

Author 1: Conceptualization; Project administration; Validation; Writing - review and editing.

Author 2: Conceptualization; Data curation; Investigation.

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