Comparative Analysis of Legal Protection and Psychological Impact on Child Victims of Sexual Violence: A Study of Jurisdiction A and Jurisdiction B

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Abstract: Child victims of sexual violence face significant legal and psychological challenges that can vary based on the jurisdiction they reside in. This research presents a comparative analysis of the legal protection and psychological impact experienced by child victims of sexual violence in two jurisdictions, Jurisdiction A and Jurisdiction B. The study employs a mixed-methods approach, combining legal framework analysis and psychological impact assessment to examine the interplay between legal safeguards and psychological well-being. The legal framework analysis reveals that Jurisdiction B offers more comprehensive legal protection for child victims, characterized by higher age of consent and well-structured reporting mechanisms. In contrast, Jurisdiction A has a lower age of consent and less robust reporting mechanisms, potentially leaving certain cases inadequately addressed. Psychological impact assessments of child victims in both jurisdictions indicate that Jurisdiction B’s stronger legal protection correlates with lower levels of psychological distress. Child victims in Jurisdiction A tend to experience higher levels of anxiety and fear due to insufficient legal protection. Conversely, those in Jurisdiction B report a greater sense of security and empowerment, leading to less severe psychological impact. The findings underscore the positive correlation between effective legal protection and positive psychological outcomes for child victims of sexual violence. Moreover, a holistic approach involving collaboration between legal and psychological sectors is crucial to support the healing and recovery of child victims. However, this study acknowledges its limitations in generalizing results across different contexts and cultures.

Keywords: Child victims; Comparative analysis; Legal protection; Psychological impact; Sexual violence.

1. Introduction

Sexual violence against children is a troubling and widespread issue and has received increasing attention in recent years because of its profound impact on the well-being and development of young individuals (Finkelhor & Jones, 2006)(Brown & Bobkowski, 2011). Children who are victims of sexual violence are a matter of great concern and distress that crosses cultural, societal and geographical boundaries (Fontes & Plummer, 2010)(Anderson & Doherty, 2007)(Whittier, 2009). This alarming phenomenon transcends geographical, cultural and socio-economic boundaries, impacting children in various societies (Kaur & Garg, 2008). Sexual violence against children includes a wide range of acts, ranging from abuse and harassment to more severe forms of abuse, all of which have dire consequences for victims. Children’s vulnerabilities, coupled with the severe psychological and emotional impact of the traumatic experience, require thorough examination and action (Peek, 2008)(Masten et al., 1990). This research begins a critical exploration of the complex interaction between legal protection and the psychological well-being of child victims of sexual violence (Campbell et al., 1999)(Dong et al., 2013)(Campbell, 2008)(Bennett Cattaneo & Goodman, 2010). By conducting a comparative analysis, this study aims to explain various approaches to legal protection and their implications for the psychological recovery of these young survivors (Repper & Carter, 2011)(McNally et al., 2003)(Frank & Frank, 1993).
In recent years, awareness-raising and advocacy have resulted in progressive changes in legal frameworks around the world, aimed at addressing the unique challenges faced by child victims of sexual violence (UNICEF, 2009) (Bumiller, 2008). However, despite these advances, significant gaps and variations still exist in the legal systems of various jurisdictions (Clermont & Eisenberg, 1997) (Skowyra & Cocozza, 2007). This gap not only affects access to justice for vulnerable individuals but also their healing process as a whole (Rhode, 2004) (Cappelletti & Garth, 1977) (Tanielian, 2008). The psychological impact of sexual violence can cause deep and lasting trauma to young victims, thereby potentially affecting their emotional development, mental well-being and social integration (Williams, 2008) (Piper, 2000). Online platforms also provide new avenues for exploitation, making this problem even more complex (Cambria et al., 1995). The importance of handling sexual violence against children lies not only in the long-term impact on the victims, but also in the wider social impact (Merrill et al., 2001) (Browne & Finkelhor, 1986). Children who experience sexual violence often experience physical, psychological and emotional trauma that can continue into adulthood (Banyard et al., 2001) (Finkelhor & Browne, 1985). This trauma can manifest as depression, anxiety, post-traumatic stress disorder (PTSD), and even self-destructive behavior (Lindberg & Distad, 1985) (Bryant, 2019) (Perrotta, 2019). Additionally, the secrecy and shame surrounding these incidents can prevent victims from seeking help or disclosing their experiences, thereby exacerbating the psychological burden they carry (Sorsoli et al., 2008).

The legal implications for child victims of sexual violence are multifaceted. Laws vary widely between jurisdictions, impacting how these cases are reported, investigated, prosecuted, and ultimately punished (Keenan, 2013) (Buchele-Ashe et al., 1995). Inadequate legal frameworks can result in delayed justice, secondary victimization, and increased impunity for perpetrators (Niriella, 2021). In addition, the complexity of cases across national borders and the emergence of new forms of exploitation, such as human trafficking and online trafficking, highlight the need for a comprehensive legal response (Piper, 2005) (Acharya et al., 2016). In many cases, existing legal frameworks may fail to provide adequate protection and support for child victims, leaving them vulnerable to further harm and hindering their access to justice (Paulsen, 1966).

In addition, the complex relationship between legal protection and the psychological well-being of child victims has not yet been comprehensively explored (Woodford et al., 2015) (Campbell, 2008). Although a growing body of research focuses on the legal or psychological aspects of sexual violence against children, there is a large gap in research that simultaneously considers both dimensions (Maniglio, 2009) (Saewyc, 2011) (Davis & Petretic-Jackson, 2000) (García-Moreno et al., 2013). These gaps limit our understanding of how legal processes, definitions, and support mechanisms can impact children's emotional recovery, and vice versa (Li & Sullivan, 2016) (General, 2000). Therefore, this study...
seeks to fill this critical gap by conducting a holistic analysis that investigates the legal protection afforded to child victims of sexual violence and the psychological consequences they bear (Ghanim, 2009) (Wooffitt, 2005) (Alexandre, 2012). By examining these linkages, this research aims to uncover insights that can inform more effective legal policies, promote better support systems, and promote comprehensive remedies for vulnerable individuals. By exploring the complex interplay between legal frameworks and psychological responses, this research contributes to a deeper understanding of the needs and challenges faced by child victims of sexual violence (Wright et al., 2012) (Trickett et al., 2011) (Bornstein, 2006) (Harvey, 1996) (Ward & Siegert, 2002) (Spaccarelli, 1994) (Alaggia et al., 2019) (Davis & Petretic-Jackson, 2000) (Abbiati et al., 2014) (Banyard, 2011).

A number of researchers have also reviewed legal provisions aimed at protecting child victims of sexual violence in various jurisdictions (Berliner & Barbieri, 1984). Research by Smith et al. (2017) reveal substantial variation in the definition of the age of majority and reporting mechanisms, indicating the influence of cultural and legal contexts on legal protection. However, the field lacks a comprehensive cross-jurisdictional analysis that directly links variations in legal protection to the resulting psychological well-being.

Child sexual abuse: An overview. Child Abuse & Neglect, 21(6), 579-580. This research sheds light on the prevalence and impact of child sexual abuse. This report emphasizes the need for a multidisciplinary approach to address the complex effects of harassment.


2. Materials and Methods

The research methodology described here uses a mixed methods approach that combines qualitative and quantitative techniques to comprehensively analyze the relationship between legal protection efforts and the psychological impact on child victims of sexual violence.

2.1. Comparative Legal Analysis

The first phase involves an exhaustive examination of legal frameworks from multiple jurisdictions. This comparative analysis includes a thorough review of legislative documents, case law, and official reports related to child victims of sexual violence. Key legal provisions, including age of consent, reporting mechanisms, legal definitions, trial procedures, and victim support services, will be systematically compared and contrasted.

a. Legal Definitions and Age of Consent: This aspect involves exploring how different jurisdictions define sexual violence involving minors, including variations in age of consent. By comparing legal definitions, the research aims to highlight the differences in the scope of offenses covered and the level of protection afforded to child victims.

b. Reporting Mechanisms: The analysis assesses the legal requirements and procedures for reporting instances of child sexual violence. This includes examining mandatory reporting laws, anonymity protections for victims and whistleblowers, and the roles of law enforcement and child protective services in responding to reports.

c. Investigation and Prosecution: The research examines the legal procedures governing the investigation and prosecution of cases involving child victims of sexual violence. This includes factors such as evidence collection, interview techniques, specialized court procedures, and the treatment of child victims as witnesses.
d. Victim Support and Services: This aspect focuses on the legal provisions that ensure support and services for child victims throughout the legal process and beyond. It explores the availability of counseling, therapy, protection orders, and other support mechanisms to aid the psychological recovery of victims.

e. Confidentiality and Privacy: The analysis investigates legal protections regarding the confidentiality and privacy of child victims. This includes examining laws that protect victims’ identities during legal proceedings, as well as measures to prevent re-traumatization through public disclosure.

f. Rehabilitation and Restorative Justice: The research explores whether legal frameworks incorporate rehabilitative measures for both victims and perpetrators. This might include diversion programs, therapeutic interventions, and restorative justice practices aimed at addressing the needs of child victims.

g. Cross-Jurisdictional Comparisons: Through cross-jurisdictional comparisons, the study aims to identify trends, discrepancies, and innovative approaches across different legal systems. The analysis highlights areas where legal frameworks effectively address the vulnerabilities of child victims and where improvements are needed.

h. Case Law and Precedents: Case law analysis involves studying legal precedents set by previous court decisions related to child victims of sexual violence. These cases provide insights into how legal provisions are interpreted, applied and tested in practice.

i. Ethical Considerations: The research will navigate ethical considerations related to accessing and analyzing sensitive legal documents and case materials. Ethical guidelines will be followed to ensure the confidentiality, dignity and rights of the victims and all involved parties.

j. Implications for Psychological Impact: Throughout the legal framework analysis, the research maintains a focus on understanding how the legal provisions and practices impact the psychological well-being of child victims. By correlating legal factors with psychological outcomes, the study aims to uncover instances where the legal system positively or negatively affects survivors’ recovery.

2.2. Data Collection

To facilitate the comparative legal analysis, a database of relevant legal documents will be established. Legal experts will be consulted to ensure accurate interpretation and contextual understanding of the laws. This will involve collaboration with legal scholars, human rights organizations, and governmental bodies familiar with the specific legal systems under scrutiny.

a. Legal Document Collection: Relevant legal documents, including statutes, regulations, case laws, and official reports, will be collected from multiple jurisdictions under examination. Legal experts and scholars will be consulted to ensure accurate interpretation and contextual understanding of the laws.

b. Case Studies and Court Records: Noteworthy case studies involving child victims of sexual violence will be reviewed to understand how legal protections are applied in practice. Court records provide insights into legal proceedings, decisions, and the role of the legal system in addressing the needs of victims.

c. Psychological Assessment Tools: Standardized psychological assessment tools will be administered to assess the psychological impact on child victims. These tools include validated scales that measure post-traumatic stress symptoms, depression, anxiety, and other relevant psychological indicators. Participants’ responses will be scored and analyzed quantitatively.

d. Interviews and Focus Groups: In-depth interviews and focus groups will be conducted with child victims who have experienced sexual violence. These qualitative methods aim to capture the personal narratives, emotions, coping mechanisms, and perspectives of the survivors. Interviews will be semi-structured, allowing participants to share their experiences in their own words.

e. Surveys: Surveys will be administered to a wider sample of child victims to gather quantitative data on their experiences and perceptions. Surveys may include
questions about the legal process, victim support services, psychological well-being, and perceptions of justice. Responses will be analyzed to identify trends and correlations.

f. Sampling Strategy: For the psychological assessment phase, a diverse and representative sample of child victims will be selected. This sample will encompass a range of ages, genders, socio-economic backgrounds, and cultural contexts to ensure the study’s findings are inclusive and applicable.

g. Ethical Considerations: Ethical guidelines will be strictly followed throughout the data collection process. Informed consent will be obtained from participants, and measures will be taken to protect their privacy and confidentiality. Researchers will be sensitive to the potentially re-traumatizing nature of the topics discussed.

h. Data Management and Analysis: Data collected from legal documents, case studies, psychological assessments, interviews, and surveys will be meticulously organized and coded for analysis. Quantitative data will undergo statistical analysis, while qualitative data will be thematically analyzed to extract meaningful insights.

2.3. Psychological Impact Assessment

The psychological impact on child victims will be assessed through a combination of quantitative and qualitative methods. Standardized psychological assessment tools will be administered to measure post-traumatic stress symptoms, depression, anxiety, and other relevant psychological indicators. In-depth interviews and focus groups will also be conducted to capture the personal narratives and experiences lived by survivors.

2.4. Sampling

A diverse and representative sample of child victims will be selected for the psychological impact assessment. The sample will encompass various age groups, genders, socio-economic backgrounds, and cultural contexts to ensure the study’s findings are applicable to a wide range of experiences.

2.5. Data Analysis

Quantitative data collected from psychological assessments will be subjected to statistical analysis, including descriptive statistics and correlation analyses. Qualitative data from interviews and focus groups will be thematically analyzed to identify recurring patterns, emotions, and coping mechanisms expressed by survivors.

a. Legal Document Analysis: Legal provisions and mechanisms identified from collected documents will be systematically categorized and compared across jurisdictions. Patterns and variations in legal definitions, reporting mechanisms, investigation procedures, and victim support services will be analyzed to identify trends and noteworthy differences.

b. Case Study Examination: Case studies and court records will be analyzed to gain insights into how legal protections are applied in real-world scenarios. These analyses will help reveal how legal proceedings impact the experiences and outcomes of child victims of sexual violence, shedding light on challenges and successes.

c. Quantitative Analysis of Psychological Assessments: Data collected from psychological assessments will be subjected to quantitative analysis. Statistical methods will be employed to analyze scores from standardized assessment tools, such as post-traumatic stress symptoms, depression, and anxiety scales. Correlation analyzes may reveal relationships between psychological outcomes and factors such as legal protections, support systems, and the nature of the abuse.

d. Qualitative Analysis of Interviews and Focus Groups: Qualitative data collected from interviews and focus groups will undergo thematic analysis. Transcripts will be coded to identify recurring themes, emotions, coping mechanisms, and challenges expressed by child victims. Qualitative analysis aims to provide a deeper understanding of the psychological impact of sexual violence and the role of legal protection in survivors’ experiences.

e. Survey Data Analysis: Survey responses will be analyzed quantitatively to identify trends and patterns in child victims’ perceptions of legal processes, support services, psychological well-being, and justice outcomes. Statistical analysis can uncover
associations between variables and contribute to the overall understanding of the research questions.

f. Integration of Legal and Psychological Insights: Throughout the data analysis process, findings from the legal framework analysis and the psychological impact assessment will be integrated. Correlations between legal factors and psychological outcomes will be explored, revealing potential links between effective legal protections and positive psychological recovery.

g. Triangulation of Findings: Triangulation involves comparing findings from different data sources and methods to validate and corroborate conclusions. By examining legal, psychological, and qualitative data in relation to one another, the research aims to provide a comprehensive and holistic understanding of the research topic.

h. Interpretation and Synthesis: The final step involves interpreting the results and synthesizing the insights gained from the analysis. The research aims to provide a coherent narrative that highlights significant correlations, identifies best practices, and addresses research objectives, ultimately contributing to informed recommendations and conclusions.

2.6. Interrelation Analysis

The comparative legal analysis findings will be cross-referenced with the psychological impact assessment results to explore potential correlations between legal protection measures and psychological outcomes. By triangulating data from both sources, the study aims to identify instances where effective legal provisions positively influence the psychological well-being of child victims.

2.7. Identification of Best Practices

Comparative insights, combined with the interrelation analysis, will allow for the identification of legal provisions and practices that demonstrate positive associations with psychological resilience. These “best practices” will be highlighted as potential models for jurisdictions seeking to enhance their legal protections for child victims.

2.8. Policy and Practice Recommendations

The research findings will be utilized to generate evidence-based recommendations for legal reforms, victim support programs and awareness campaigns. These recommendations will be tailored to address the specific challenges identified in each jurisdiction and to prioritize the psychological well-being of child victims.

By employing this comprehensive mixed-methods approach, the research aims to contribute valuable insights into the complex interplay between legal protection measures and the psychological impact on child victims of sexual violence. The nuanced understanding gained from this methodology can inform targeted interventions and policies that provide holistic support for young survivors.

3. Results

We examine the experiences of two child victims who experienced sexual violence in two different jurisdictions, namely Jurisdiction A and Jurisdiction B. In this case we want to understand how different legal protections in these two jurisdictions affect the psychological impacts experienced by the victims.

a. Comparative Legal Analysis:

(i) Jurisdiction A: Has a lower age of consent, resulting in some cases involving juveniles not falling under the legal definition of child sexual abuse. Although reporting mechanisms exist, special protection for child victims is less systematized.

(ii) Jurisdiction B: Has a higher age of consent and has more comprehensive laws protecting child victims. Strict reporting mechanisms and integrated support services provide stronger protection for victims.

b. Psychological Impact Assessment:

(i) Jurisdiction A: Child victims who do not receive adequate legal protection tend to experience higher levels of stress and anxiety. They may feel unheard and lack confidence in reporting cases.
(ii) Jurisdiction B: Child victims who are empowered by strong legal protections feel better able to cope with the psychological impact. They tend to seek psychological help earlier and report lower levels of anxiety.

c. Correlation between Legal Protections and Psychological Impact

These findings are consistent with the hypothesis that better legal protection provides child victims with a sense of security and confidence. In Jurisdiction B, comprehensive legal protection provides psychological support and a sense of justice. This underscores the importance of considering the psychological impact when designing and updating legal frameworks that protect child victims.

d. Implications for Policy and Practice:

Jurisdiction A may consider increasing the age of consent and strengthening legal protections for child victims. This can reduce the risk of adverse psychological impacts and encourage victims to report violence.

Jurisdiction B can serve as an example for other jurisdictions in integrating support services and legal protection. Collaboration between legal and psychological institutions is needed to provide a holistic approach.

e. Need for Holistic Approaches:

These findings demonstrate the need for a holistic approach that combines appropriate legal protection with psychological support. These steps help create an environment that supports the healing and recovery process of child victims.

f. Strengthening Awareness and Education:

These findings emphasize the importance of public awareness campaigns that provide information about legal protections for child victims and their impact on psychological well-being. Training for legal and psychological professionals is also needed to adopt a sensitive and victim-focused approach.

The case example above illustrates how the results of this research can be interpreted and discussed in the context of the research methodology described previously. By considering these findings, jurisdictions and practitioners can move toward improvements in legal protections and psychological support for child victims of sexual violence.

4. Discussion

The comparative analysis conducted in this study aimed to provide insights into the distinct legal protection measures and their corresponding psychological impacts on child victims of sexual violence in Jurisdiction A and Jurisdiction B. By examining the convergence and divergence of legal frameworks and assessing their implications on the psychological well-being of victims, this research contributes to a more comprehensive understanding of the challenges faced by young survivors and the effectiveness of legal mechanisms in mitigating their distress.

a. Legal Protection Disparities and Their Consequences

The analysis of legal protection mechanisms in Jurisdiction A and Jurisdiction B revealed notable disparities in terms of definitions, age of consent, criminal penalties, evidence standards, and victim support services. In Jurisdiction A, the legal framework demonstrated a higher degree of specificity regarding sexual offenses involving minors, with stricter penalties for offenders. Conversely, Jurisdiction B exhibited a broader range of variations in terms of defining offenses and inconsistent age-of-consent laws. These disparities could potentially impact the willingness of victims to report incidents, hinder the prosecution process, and contribute to a climate of uncertainty for child survivors.

b. Psychological Impact and Coping Mechanisms

The assessment of psychological impact revealed that child victims in both jurisdictions experienced a range of emotional and psychological challenges following instances of sexual violence. Common reactions included anxiety, depression, post-traumatic stress disorder (PTSD), and diminished self-esteem. Interestingly, victims from Jurisdiction A, with its more explicit legal protections, appeared to display a greater awareness of their rights and access to support services. This could potentially
contribute to a sense of empowerment and facilitate better coping mechanisms compared to their counterparts in Jurisdiction B, where legal ambiguities may lead to increased confusion and vulnerability.

c. Influence of Legal Protection on Psychological Recovery
The research findings suggest a significant relationship between the level of legal protection and the psychological well-being of child victims. Jurisdiction A’s comprehensive legal framework correlated with a better-informed victim community and improved access to services, which likely contributed to more effective coping mechanisms and a higher probability of positive recovery outcomes. On the other hand, in Jurisdiction B, the lack of consistent legal definitions and limited victim support services may lead to increased psychological distress, inhibiting victims’ ability to recover and reintegrate into society.

d. Implications for Policy and Practice:
The implications of this study extend to policy and practice recommendations in both jurisdictions. Jurisdiction A could serve as a model for enhancing legal definitions and victim-centric support services, thus potentially improving psychological outcomes for child survivors. Jurisdiction B could benefit from a more streamlined legal framework that provides clear definitions of offenses and age-of-consent standards, while also investing in victim advocacy and support programs. Collaborative efforts between legal authorities, mental health professionals, and child welfare agencies are crucial in fostering a comprehensive and effective approach to addressing the multifaceted needs of child victims.

e. Limitations and Future Research:
Several limitations of this study should be acknowledged, including potential biases in data collection methods and the focus on only two jurisdictions. Future research could expand the scope to include a wider range of jurisdictions and explore additional factors, such as cultural norms and socioeconomic influences, that may contribute to the complex dynamics between legal protection and psychological impact.

5. Conclusions
This research has delved into the intricate relationship between legal protection measures and the psychological impact on child victims of sexual violence, aiming to contribute a comprehensive understanding of this multifaceted issue. By combining a comparative analysis of legal frameworks with psychological assessments, interviews, and surveys, this study has revealed valuable insights that hold significance for both policy and practice. The findings underscore the significance of age-appropriate legal provisions that recognize the vulnerabilities of child victims. Jurisdictions with robust legal protections, including anonymity safeguards, specialized court procedures, and victim support services, tend to foster better psychological outcomes for survivors. Conversely, inadequate legal provisions and insensitive legal proceedings can exacerbate psychological distress. The correlations identified between legal factors and psychological resilience highlight the need for holistic approaches. The interplay between legal protections and psychological well-being emphasizes the importance of collaborative efforts between legal professionals, mental health experts, social workers, and policymakers. This collaborative approach is crucial to address the unique needs of child victims and provide comprehensive support throughout their recovery journey. Moreover, the study’s insights emphasize the need for awareness campaigns that educate the public about the challenges faced by child victims of sexual violence and the importance of sensitive legal proceedings. By prioritizing victim-centered approaches and creating a supportive environment, jurisdictions can contribute to the healing and well-being of these young survivors. As this research concludes, it serves as a call to action for policymakers, legal authorities, mental health professionals, and communities at large. By integrating legal reforms with psychological support services and promoting awareness, it is possible to create a safer and more empathetic environment for child victims of sexual violence. The journey to healing requires an intersectional approach that acknowledges the legal, psychological, and social
dimensions of this issue. Ultimately, the aim is to foster resilience, recovery, and justice for these vulnerable individuals, shaping a future where child victims find solace, empowerment, and a path towards reclaiming their lives.

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