

ABSTRACT

The purpose of this research: To determine the basis for the judge's consideration of the acquittal of the perpetrator of the crime of child molestation in Case Decision Number: 36/Pid.sus/2023/PN Lbb. This research method: uses normative juridical legal research. The results of the research are: The judge's consideration in deciding to acquit the defendant in Decision Number: 36/Pid.sus/2023/PN Lbb was based on the judge's distrust of the information given by child and child victim witnesses and witness AN. Moreover, the statements of the victim's child and AN's child were given without being sworn in. The documentary evidence submitted in the form of a post mortem et repertum also only describes the conditions that befell the Child Victim, namely damage and disease to the genitals of the Child Victim but there is no other valid evidence that can show that the Defendant caused these things, either from witness statements, expert testimony, instructions, evidence and defendant's statement. Suggestion: So that in cases of crimes of morality where it is very difficult to find evidence, the panel of judges and public prosecutors use laws that are made specifically for this type of crime. In this case, the judge's basic considerations in assessing witness statements in Decision Number 36/Pid.Sus/2023/PN Lbb should be to use special provisions, namely the Sexual Violence Crime Law (TPKS Law) rather than the Criminal Procedure Code. Prosecutors and police should coordinate with each other in examining cases where criminal acts may have occurred, but due to police carelessness, victims' rights to justice may be deprived.

Keywords: *Judge's Basic Considerations, Acquittal Decision, Crime of Obscenity, Children.*