

The Urgency of Public Awareness and Law Enforcement Officials in Resolving Cases of Sexual Violence Against Minors

Fadhilah Fani Ghinayani¹ *, Kharimah Heba Farhana²

^{1,2} *Sebelas Maret University, Indonesia*

*) *Corresponding author: fadhilahfani@student.uns.ac.id*

Abstract

Today, cases of sexual violence against minors have become a problem in Indonesia. The occurrence of this is a response to the low moral awareness of the community and the lack of assertiveness of law enforcement officials, particularly in relation to child protection. This is illustrated by the number of cases of sexual violence against minors whose resolution has not been completed, so that it has a negative psychological impact on the child as a victim. This study aims to determine the importance of public awareness and the firmness of law enforcement officials in handling cases of sexual violence against minors. The method used in this research is literature review or literature review taken from books, journals, as well as articles and interviews. The results showed that public awareness and the firmness of law enforcement officials in handling cases of sexual violence against minors are needed to resolve the problem. This is because the large number of cases of sexual violence against minors that are not accompanied by public awareness and the firmness of law enforcement officials on the importance of solving problems thoroughly will continue to provide opportunities for similar new cases to occur.

Keywords: sexual violence against minors; citizen's awareness; he emphasized the law enforcement apparatus

Introduction

Sexual violence against minors is a separate problem in Indonesia. Children whose nota bene is an asset for the family, society and the country are the next generation of the

nation where they bring their dreams and hopes in the future. Sexual violence cannot be defined in a narrow sense, namely an act that is only physical in nature, but includes many other aspects of behavior, for example in the form of psychological

abuse and humiliation, so that when talking about sexual violence, it must touch the core of violence and coercion, not only focus on behavior. hard and pressing (Sitompul, 2015). If sexual violence is defined narrowly and focuses on violent and oppressive behavior,

Based on the fact sheet in the 2018 National Commission on Violence Against Women, sexual violence was committed by biological fathers in 425 cases, uncle with 322 cases, stepfather with 205 cases, siblings 89 cases, and biological grandfather in 58 cases (Slamor & Hehanussa, 2019). Starting from this, it is imperative that children receive protection from their parents, family, community and state. Seeing the many cases of sexual violence against minors, it should make people aware that this kind of crime cannot be repeated. Not only public awareness, the firmness of law enforcement officials also played a big role in resolving cases of sexual violence against minors completely. This is because it has an impact on the psychological condition of the child as a victim and the possibility of similar cases occurring in the future.

However, in reality, public awareness and the firmness of law enforcement officials on cases of sexual violence against children is still very low. This is proven by the number of similar cases and it is even more so in the present. There were 2,792 cases of violations of children's rights since October 2013, even 1,424 cases of violence (52% of child sexual violence) (Hennyati & Ningsih, 2018). This phenomenon can arise due to the lack of law

enforcement on child protection in Indonesia. If we look at the social development of society today, there are many opinions stating that law enforcement for child protection is still not maximal, this is reflected in the high level of violence against children, the increasing number of trafficking in children and so on (Windari, 2011).

The worst thing that can happen if this kind of condition continues is the increasing number of cases of sexual violence against minors. The more cases of sexual violence against minors are allowed, the more incidents will occur in the future. This must be followed up firmly because it involves the psychological condition of the child. Sexual violence against children can be seen from a biological and social perspective, all of which are related to the psychological impact on children (Noviana, 2015). If the child's body biologically refuses, then automatically the coercion by the perpetrator will cause more injury and pain. That moment also means there has been violence. This kind of pain and threat is of course a traumatic experience for the child. The child as a victim will always experience a feeling of shock until he says it. Meanwhile, to say what happened to him, the child is always haunted by intimidation and threats from the perpetrator. Therefore, pain and intimidation also become psychological violence for children.

In order to prevent cases of sexual violence against children from becoming increasingly prevalent, it is necessary to increase public awareness and assertiveness of law enforcement officials on these kinds

of cases. One of them can be done through non-governmental organizations that focus on child protection to reduce the number of sexual violence against minors. The definition of child protection is all efforts made to create conditions so that every child can exercise their rights and obligations for the development and growth of children naturally, physically, mentally and socially (Fitriani,2016). Through activities carried out such as outreach to the community, these institutions are able to make people aware of the importance of their role in handling cases of sexual violence against minors. Not only that, as an institution engaged in child protection, this institution can legally assist victims, so that it can indirectly demand the firmness of law enforcement officials on the cases handled.

Literature Review

Sexual violence is the involvement of children in sexual activities carried out by children who have not reached a certain age limit stipulated by state law with adults or other children who are older (UNICEF nd). Cases of sexual violence against children are one type of case that is included in the Trial Procedure (BAP) (Nuqul, et al, 2015). BAP in research can be interpreted as the result of decisions from the Supreme Court on cassation cases. Where this means that efforts to demand justice at the highest level, namely the Supreme Court, can be made in the settlement process. Based on this statement, it is important that the community

plays a role in resolving cases of sexual violence against minors.

Community involvement in this case requires high awareness in it. This awareness greatly affects the percentage of possible cases in the future. It is their responsibility to participate in cases of sexual violence against minors. Prevention and protection is the responsibility of adults (Justicia, 2016). To realize this participation, it is necessary to develop a partnership or partnership as a relationship that occurs between civil society (Haq, 2016). In this case, it is necessary to collaborate between the community and law enforcers. This is because it is not only awareness from the public that is important in this matter, but also the firmness of law enforcement officials to resolve cases thoroughly for the sake of mutual justice.

The task of solving cases that occurs is closely related to the duties of two components of the system, namely the Police and Prosecutors (at the prejudicial stage by the Police) and the Court (at the judicial stage by the Prosecutor). The two components are law enforcement officers whose job is to guarantee law enforcement. Law enforcement is the process of making efforts to uphold or function legal norms in a real way as a code of conduct in traffic or legal relations in public and state life (Asshiddiqie, 2010). The relationship between the police and the prosecutor is primarily related to the task of investigating a criminal act, in this case a case of sexual violence against children. components of the criminal justice system, including courts and correctional institutions.

Method

The main method used in this research is library research or library research. This study was conducted in the form of utilizing reference sources and literature review (Zed, M. 2008).

The data or materials needed to complete library research come from library sources in the form of books, e-books, encyclopedias, dictionaries, journals, documents, magazines, articles and so on. The results of the document study were then analyzed and reprocessed by the researcher in order to obtain a conclusion.

Another method applied in this research to support data collection and research materials is interviews. The interview is one of the data collection methods in research, especially qualitative research (Rachmawati, 2007). This interview data collection technique is carried out directly in order to obtain valid data and in accordance with the research needs so that it can be accounted for. Extracting supporting data through interviews was prepared by compiling interview instruments. The instruments are structured as needed to obtain new data outside of literature study.

Result and Discussion

Sexual violence against children is a relationship that occurs between a child and someone who is more mature than him, can be done by siblings and even their own parents and the child is used as an object of solely satisfying sexual

needs. Sexual violence is carried out using force, threats, bribes, tricks, and even pressure.

Sexual violence occupies the largest number, namely 50% - 62% (Unesco 2016: v). The high rate of sexual violence against children is one of the reasons for the drafting of regulations governing the protection of children as victims of violence in Indonesia, namely Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection; Law No. 23 of 2004 concerning the Elimination of Domestic Violence; Law No. 11 of 2012 concerning the Juvenile Criminal Justice System; Law No. 31 of 2014 concerning Amendments to Law No. 13 of 2006 concerning Protection of Witnesses and Victims; as well as Government Regulation No. 44 of 2008 concerning Compensation, Restitution, and Assistance to Witnesses and Victims, Even in the scope of Central Java Province, it also pays attention to cases of sexual violence against children so that a special regional regulation is made to regulate the protection of children in Central Java Province, namely the Regional Regulation of the Province of Central Java No. 3 of 2009 concerning the Implementation of Protection for Victims of Violence Based on Gender and Children and the Regional Regulation of Central Java Province No. 7 of 2013 concerning the Implementation of Child Protection.

The protection policy that has been made is very helpful and has even been said to guarantee the protection of the rights of children

and women who have experienced sexual violence or are merely witnesses of an incident. It is hoped that policies made in such a way can determine the quality of protection as well as efforts to claim justice in the settlement process.

The rise of child sexual abuse often occurs in the community, this phenomenon often occurs in poor families due to economic factors in a family. In a family with a low economy, children are considered to be a burden on the family, because to meet the needs of the economy, education, health and various other problems, the economic income of the parents is not sufficient. The inability of parents to fulfill their children's daily needs results in children not getting their right to the maximum, even the rights of children tend to be neglected. Violence against children is also closely related to family conditions that are not harmonious.

There is a case in Surakarta, namely sexual violence committed by a stepfather to a 7 year old child. The father had the heart to abuse his stepson 10 times in 6 months in a public bathroom. Knowing this incident, the surrounding community was silent and instead turned this phenomenon into public consumption. In the end, the community leader, namely the head of the local RT, immediately took the victim to the puskesmas to check whether any acts of harassment had occurred. It did not stop there, the RT head also asked for permission and submitted conditions to the sub-district to sub-district to process this case through legal channels so that the

victim would receive protection and justice. After being reported and the victim had confessed his father's heinous act, sadly the victim's mother retracted the case report that was committed by her husband to her child. Then they and their family decided to move from their original residence.

Looking at this case, it is very clear that there is no community involvement in resolution efforts. This is based on the lack of public awareness of the sexual violence that occurs around them, they are ignorant of the crimes that have occurred. People who know about the case should be able to immediately report and save the victim, even though it is clear that the people who report and become witnesses will receive guaranteed protection as has been described.

The involvement of the community itself actually has a big enough impact on the resolution to efforts to prevent similar cases in the future. Community participation in maintaining a healthy, safe and comfortable environment, including the anticipation of crime, is a shared obligation and responsibility.

Then for the victim's mother herself, also did not show her role as a parent. Children aged 7 years who should be protected and get extra attention and even affection from his parents instead became victims of his stepfather's crime. Children lose the rights they should get from an early age.

In cases of sexual violence such as the one above, not only community participation is needed, but also working with non-governmental organizations that

focus on child protection to reduce the number of sexual violence against minors. For example, the Surakarta Brotherhood Foundation. Yayasan Kepedulian untuk Anak (Yayasan KAKAK) is a non-governmental organization (NGO) which is engaged in the issue of protecting children from sexual violence and sexual exploitation of children (ESA), children as consumers and children in emergency situations. The working areas of the KAKAK Foundation in the former Surakarta Residency are Surakarta City, Sukoharjo Regency, Boyolali Regency, Karanganyar Regency, Sragen Regency, Wonogiri Regency and Klaten Regency. The Kakak Foundation handles various cases regarding the protection of children as consumers, protection of children from violence and social exploitation, and protection of children in disaster situations. The sister foundation cooperates with the Ministry of Social Affairs. The Ministry of Social Affairs provides assistance to the sister foundation in the form of savings. The savings are usually given once a year. This Big Brother Foundation has also handled cases of sexual violence against children, where again the case was closed because the victim withdrew his report.

In the justice process through the Supreme Court, crimes will initially be handled by law enforcement officials, namely the police. Law enforcement officials as holders of public authority in a country have the obligation to make laws regarding good law enforcement, carry out law

enforcement properly, create security and public order for everyone who needs justice. In this case, it means that law enforcement officers must carry out their obligations as well as possible, must enforce the law accordingly.

Conclusion

The rise of sexual abuse against children often occurs in the community and the perpetrators of sexual violence and abuse themselves, starting from their immediate family to strangers who entice victims with money or other forms of threats. Public awareness of sexual violence that occurs around them is very concerning. People who know about it should be able to immediately report and save the victim. Non-governmental organizations that focus on child protection are needed to reduce the number of sexual violence against minors. For example, the Surakarta Big Brother Foundation and law enforcers must carry out their obligations accordingly.

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