Interdisciplinary Social Studies
P-ISSN: 2808-0467
E-ISSN: 2808-5051

Cirebon Regency's National Commission for Child Protection's role in handling sexual violence against children

Sinthya Lustiana*, Faculty of Law, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia
Santi Sumarjo, Faculty of Law, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia
Moriza Mega, Faculty of Law, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia
Sanusi, Faculty of Law, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia
Ari Nurhaqi, Faculty of Law, Universitas Swadaya Gunung Jati, Cirebon, West Java, Indonesia

*Email for Correspondence: lustianasinthya@gmail.com

Keywords:

sexual violence
child
handling

ABSTRACT

Sexual violence against children is a violation of human rights that has a long-term traumatic impact. The phenomenon of increasing cases of sexual violence against children has become a global problem that requires serious attention. This increase continues to occur in various regions, including Cirebon Regency. The role of the Regional Indonesian Child Protection Committee (KPAID) of Cirebon Regency in handling this case is very important. This study analyzes the role of KPAID Cirebon in overcoming sexual violence against children, identifies the factors that cause an increase in child sexual violence, and examines the role of KPAID Cirebon Regency in dealing with child sexual violence cases, focusing on prevention, case handling, and challenges faced. This study uses a qualitative method with a case study approach. Data was collected through in-depth interviews with the Chairman of the Cirebon Regency KPAID, the victim's family, and other related parties. The results of the study show that KPAID Cirebon Regency plays an active role in receiving reports, providing legal and psychological assistance and advocating to protect the rights of victims. However, KPAID faces challenges that affect its effectiveness in carrying out its role, such as limited resources, lack of public awareness and weak coordination between institutions. And this phenomenon continues to increase supported by many external and internal factors such as environmental factors and the victim's own family factors.

This is an open access article under the CC BY-SA license.

INTRODUCTION

According to Law Number 12 of 2022 concerning Sexual Violence in article 1 that "Sexual violence is defined as any act that is done intentionally and without the consent of the victim that results in or causes physical, psychological, sexual, and/or oppressive suffering or misery to the victim". In general, the definition of sexual violence in children is the involvement of children in sexual activities before they reach a certain age stipulated by the law in their country (Gewirtz-Meydan & Finkelhor, 2020; Walker-Descartes et al., 2021; Wismayanti et al., 2021). The increase in cases of child sexual violence is a complex phenomenon that requires in-depth analysis.

Criminological theory may help people understand the factors contributing to the increase in child sexual violence, understand the root causes, and formulate more effective prevention and response strategies (Fix et al., 2021; Kewley et al., 2023; Martinello, 2020). The criminology theory that is relevant to the research on the increase in child sexual violence is the Social Control Theory where this theory emphasizes the importance of social norms and institutions in controlling criminal behavior that occurs (Costello & Laub, 2020; Kempf, 2023; Uggen et al., 2021). The likelihood of sexual violence against children can be raised by lax law enforcement that has no deterrent effect and lax societal norms that tolerate child sexual violence (Barker, 2020; Bourke, 2022; Long, 2023; Ngo, 2021; Njoku & Akintayo, 2021; Simanjuntak & Tampubolon, 2023). In addition to using Social Control Theory, the author also uses Law Enforcement Theory preventively where efforts are in crime prevention or before the crime occurs. For the phenomenon of sexual violence against children, there is no single theory that can explain the phenomenon completely. A combination of various factors and theories is needed to understand the phenomenon of sexual violence against children.

Violence against children is a violation of human rights that can have short- and long-term impacts on a child's physical, mental, and developmental health (Bhatia et al., 2021; Rahman et al., 2021; Raman et al., 2021; Wessells & Kostelny, 2021). In Indonesia, cases of violence against children continue to increase, as shown by data from the Indonesian Child Protection Commission (KPAI). Where recorded in the Women and Children Protection Online Information System (SIMFONI) in January 2024 until now (real time May 21, 2024), there are 4,971 cases reported with the type of Violence Against Children and there are 3,960 cases of the victims are girls. Where it is a benchmark that the increase in cases of violence against children is a very concerning condition and needs serious attention from every level of society.

Cirebon Regency is like other regions in Indonesia that has experienced a significant increase in cases of violence against children. Where KPAID Cirebon Regency stated that in 2023 KPAID will handle 105 cases of violence against children. And from January 1, 2024 to May, there have been 15 cases that they have sided, and these cases are dominated by sexual violence/sexual abuse of children. Not only KPAID stated so, the Office of Population Control, Family Planning, Women's Empowerment and Child Protection of Cirebon Regency or (DPPKB3A) stated that the 2020-2024 period has seen a serious increase in cases of violence against women and children. In 2020, there were 60 victims, 2021 with 137 victims, 2022 with 101 victims, and 2023 with 110 victims.

The increase in cases of child violence in Cirebon Regency demands comprehensive and integrated prevention and handling efforts from various parties, including the active role of the Regional Child Protection Commission (KPAID). As an independent institution tasked with protecting children, KPAID has a mandate to ensure children's rights are fulfilled, including the right to life, and free from all forms of violence and exploitation. Understanding the factors that trigger and encourage an increase in sexual violence against children is the first step to formulating effective and sustainable prevention and handling strategies.

This study aims to determine what factors influence the increase in child violence and analyze the role and function of KPAID in Cirebon Regency in handling sexual violence against children that continues to increase in Cirebon Regency in order to create a safe and supportive environment for children. The study contributes to the understanding of child violence dynamics and the effectiveness of local child protection agencies, with the broader aim of enhancing the safety and well-being of children in Cirebon Regency.

METHOD

This type of research uses a qualitative method with an Empirical Juridical approach. Qualitative research is research on research that is descriptive and tends to use analysis. In this case, the author conducted interview research with related parties, among others; Head of the Family Planning Population Control Office for Women's Empowerment and Child Protection, Chairman of KPAID Cirebon Regency, Victims' Families, and other related institutions.

RESULTS AND DISCUSSION

Factors Affecting the Increase in Child Violence in Cirebon Regency

Violence against children in Cirebon Regency is influenced by various complex factors that are interrelated. Here are some key factors to consider:

1) Social and Cultural Factors:
    a) Harmful Social Norms: There are still social norms that tolerate violence against children, such as beating as a method of discipline.
    b) Stigma and Shame: Victims and families are often reluctant to report cases for fear of social stigma and shame.
    c) Lack of Public Awareness: There is still low public awareness about the negative impacts of violence on children and children's rights.
2) Economic Factors:
    a) Poverty and Inequality: Poverty can cause stress, frustration, and despair in families, which can trigger violence against children.
    b) Lack of Access to Education: Limited access to education can increase the risk of violence against children, due to a lack of knowledge about children's rights and how to protect themselves.
3) Family Factors:
    a) Conflict in the Family: Conflict between parents, or between parent and child, can trigger violence.
    b) Alcohol and Drug Abuse: Alcohol and drug abuse can increase the risk of violence in the family.
4) Environmental Factors:

a) Unsafe Environments: Unsafe environments, such as slums or conflict areas, can increase the risk of violence against children.
b) Lack of Social Support: Lack of social support from families, communities, and related institutions can worsen the condition of child victims of violence.

5) Policy and Institutional Factors:
a) Law Enforcement Weaknesses: Law enforcement processes against perpetrators of violence against children are often weak, which can lead to perpetrators not being deterred and increase the rate of violence.
b) Limited Resources: Limited resources, such as budget, experts, and facilities, can hinder efforts to prevent and address violence against children.

The role of KPAID Cirebon Regency in addressing the increase in violence against children

The role of KPAID Cirebon Regency in addressing the increase in violence against children in its area is crucial. Here are some of the key roles assumed by KPAID:

1) Prevention:
a) Socialization and Education: KPAID actively conducts socialization and education to the community, parents, teachers, and children about children's rights, forms of violence, and their impacts.
b) Prevention Program Development: KPAID designs and implements violence against children prevention programs, such as parent training, establishment of child forums, and anti-violence campaigns.

2) Case Handling:
a) Receiving Complaints: KPAID is at the forefront of receiving complaints from the public regarding cases of violence against children.
b) Investigation and Assistance: KPAID conducts investigations and mentoring of victims of violence, including providing psychological support and access to health services.
c) Mediation and Reconciliation: In some cases, KPAID acts as a mediator to facilitate reconciliation between victims and perpetrators, taking into account the best interests of the child.

3) Coordination and Cooperation:
a) Building Networks: KPAID collaborates with various parties, such as the police, social services, hospitals, non-governmental organizations, and community leaders to create an integrated child protection system.
b) Case Handling Coordination: KPAID coordinates the handling of cases of violence against children, from reporting, investigation, to legal process.

4) Policy Advocacy:
a) Encouraging Responsive Policies: KPAID encourages local governments to design and implement policies that are responsive to issues of violence against children.
b) Supervision and Evaluation: KPAID supervises and evaluates the implementation of policies and programs related to child protection.

By carrying out its roles and functions optimally, KPAID Cirebon Regency can be the front line to protect children from violence and create a safe environment for their growth and development.

Factors Inhibiting the Effectiveness of KPAID in Cirebon Regency

Despite its important role, the Cirebon Regency KPAID often has obstacles in achieving maximum effectiveness in dealing with sexual violence against children. Here are some of the main inhibitions:

1) Resource Limitations:
a) Budget: KPAID often faces budget constraints that make it difficult for them to carry out prevention and treatment programs, such as conducting training, campaigns, and providing counseling services.

2) Service Access Limitations:
a) Limited Access: Children in remote areas or marginalized groups may have difficulty gaining access to KPAID services due to limited access to transportation, information, and costs.

3) Weak Coordination Between Institutions:
a) Lack of Synergy: Sometimes there is a lack of coordination and synergy between KPAID and related institutions, such as the police, prosecutor's office, social services, and health institutions. This can hamper the handling of cases.

Efforts to Overcome Obstacles

1) Capacity Strengthening and Professionalism:
   a) Strengthening Expertise: KPAID needs to create a team that is competent and able to handle various types of child violence cases, including sexual, physical, psychological, and neglectful violence.
2) Increasing Public Awareness:
   a) Socialization and Education: KPAID must continue to carry out extensive socialization and education programs on children's rights, the dangers of child violence, and how to report cases.
3) Building Networking and Collaboration:
   a) Inter-Institutional Cooperation: KPAID must establish solid cooperation with related institutions, such as the police, prosecutor's office, social service, and health institutions.
4) Improving Service Access:
   a) Location: KPAID needs to reach children in remote areas by opening service posts in strategic locations.
5) Strengthening Systems and Regulations:
   a) Improvement: Reporting System: KPAID needs to improve its reporting system so that cases of child abuse can be reported easily and quickly.
   b) Regulation Development: KPAID needs to push for stricter and more effective regulations in dealing with violence against children.

CONCLUSION

KPAID Cirebon Regency plays an important role in protecting children from sexual violence. Strengthening the Cirebon Regency KPAID strategy is the key to creating a safe and child-friendly environment. By strengthening capacity, increasing public awareness, building networks, and improving access to services, KPAID can play a more effective role in handling child violence cases and protecting children's rights in Cirebon Regency. By overcoming challenges, it is hoped that KPAID Cirebon Regency can play a more optimal role in creating a child-friendly environment, where every child can grow and develop in a healthy and healthy manner, and is also expected to create a safe environment and protect children from all forms of violence.

REFERENCES

Barker, T. (2020). *Aggressors in blue: Exposing police sexual misconduct*. Springer Nature.

Bhatia, A., Fabbri, C., Cerna-Turoff, I., Turner, E., Lokot, M., Warria, A., Tuladhar, S., Tanton, C., Knight, L., Lees, S., Cislaghi, B., Bhabha, J., Peterman, A., Guedes, A., & Devries, K. (2021). Violence against children during the covid-19 pandemic. *Bulletin of the World Health Organization*, *99*(10). https://doi.org/10.2471/BLT.20.283051

Bourke, J. (2022). *Disgrace: Global reflections on sexual violence*. Reaktion Books.

Costello, B. J., & Laub, J. H. (2020). Social Control Theory: The Legacy of Travis Hirschi's Causes of Delinquency. *Annual Review of Criminology*, *3*. https://doi.org/10.1146/annurev-criminol-011419-041527

Fix, R. L., Busso, D. S., Mendelson, T., & Letourneau, E. J. (2021). Changing the paradigm: Using strategic communications to promote recognition of child sexual abuse as a preventable public health problem. *Child Abuse and Neglect*, *117*. https://doi.org/10.1016/j.chiabu.2021.105061

Gewirtz-Meydan, A., & Finkelhor, D. (2020). Sexual Abuse and Assault in a Large National Sample of Children and Adolescents. *Child Maltreatment*, *25*(2). https://doi.org/10.1177/1077559519873975

Kempf, K. L. (2023). The Empirical Status of Hirschi′s Control Theory. In *New Directions in Criminological Theory*. Taylor Francis. https://doi.org/10.4324/9781003421139-7

Kewley, S., Mhlanga-Gunda, R., & Van Hout, M. C. (2023). Preventing child sexual abuse before it occurs: examining the scale and nature of secondary public health prevention approaches. *Journal of Sexual Aggression*, *29*(1). https://doi.org/10.1080/13552600.2021.2000651

Long, J. S. (2023). Sexual exploitation and sexual abuse of children. In *Handbook on Crime and Technology*. Edward Elgar Publishing.

Martinello, E. (2020). Applying the Ecological Systems Theory to Better Understand and Prevent Child Sexual Abuse. *Sexuality and Culture*, *24*(1). https://doi.org/10.1007/s12119-019-09629-z

Ngo, N. (2021). Child sexual abuse violence against human dignity of children. *International Journal of Research Studies in Education*, *10*(15). https://doi.org/10.5861/ijrse.2021.a124

Njoku, E. T., & Akintayo, J. (2021). Sex for survival: Terrorism, poverty and sexual violence in north-eastern Nigeria. *South African Journal of International Affairs*, *28*(2). https://doi.org/10.1080/10220461.2021.1927166

Rahman, M., Ahmed, R., Moitra, M., Damschroder, L., Brownson, R., Chorpita, B., Idele, P., Gohar, F., Huang, K. Y., Saxena, S., Lai, J., Peterson, S. S., Harper, G., McKay, M., Amugune, B., Esho, T., Ronen, K., Othieno, C., & Kumar, M. (2021). Mental Distress and Human Rights Violations During COVID-19: A Rapid Review of the Evidence Informing Rights, Mental Health Needs, and Public Policy Around Vulnerable Populations. *Frontiers in Psychiatry*, *11*. https://doi.org/10.3389/fpsyt.2020.603875

Raman, S., Muhammad, T., Goldhagen, J., Seth, R., Kadir, A., Bennett, S., D'Annunzio, D., Spencer, N. J., Bhutta, Z. A., & Gerbaka, B. (2021). Ending violence against children: What can global agencies do in partnership? *Child Abuse and Neglect*, *119*. https://doi.org/10.1016/j.chiabu.2020.104733

Simanjuntak, N., & Tampubolon, M. (2023). A Human Rights-Based Critical Discourse on the Abolition of Child Sexual Abuse. *Law and Humanities Quarterly Reviews*, *2*(4). https://doi.org/10.31014/aior.1996.02.04.97

Uggen, C., Powers, R. A., McLaughlin, H., & Blackstone, A. (2021). Toward a Criminology of Sexual Harassment. *Annual Review of Criminology*, *4*(1). https://doi.org/10.1146/annurev-criminol-011419-041436

Walker-Descartes, I., Hopgood, G., Condado, L. V., & Legano, L. (2021). Sexual Violence Against Children. *Pediatric Clinics of North America*, *68*(2). https://doi.org/10.1016/j.pcl.2020.12.006

Wessells, M. G., & Kostelny, K. (2021). Understanding and ending violence against children: A holistic approach. *Peace and Conflict: Journal of Peace Psychology*, *27*(1). https://doi.org/10.1037/pac0000475

Wismayanti, Y. F., O'Leary, P., Tilbury, C., & Tjoe, Y. (2021). The problematization of child sexual abuse in policy and law: The Indonesian example. *Child Abuse and Neglect*, *118*. https://doi.org/10.1016/j.chiabu.2021.105157