

# The Role of Social Services for Women Empowerment, Child Protection, Population Control and Family Planning in The Protection of Child Victims of Sexual Abuse

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## Article history

Received: 10 June 2024

Revised: 11 June 2024

Accepted: 12 June 2024

## Keywords

Sexual Harassment

Child

Legal Protection

## Abstract

This study aims to investigate the prevalence and nature of sexual abuse against children in the city of Malang, Indonesia, and to explore legal and social frameworks for the protection and Prevention of such abuse. The problem of the study is the increasing cases of child sexual abuse in Malang, despite legal and institutional efforts to protect them. The study used qualitative research design, involved interviews with key informants from the field of Child Protection of Social Services and analysis of relevant legal documents and regulations. The study found that sexual abuse of children in Malang includes various forms of non-physical and physical behavior, such as inappropriate comments, gestures, and unwanted physical contact. The implications of this study highlight the urgent need for further strengthening of legal protection, institutional capacity, and public awareness to effectively prevent and address the problem of child abuse in Malang.

## 1. Introduction

In law No. 35 year 2014 on child protection that the so-called child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb. Sexual harassment is unacceptable and a violation of human rights. Children should get their rights and one of them is by getting protection from various parties, if the child is in the school environment, it means having to get protection from the school, if the child is with the family, then the role and function of the family must be carried out properly. The family is the closest environment of children who become the first and main home for children to grow and develop because children are the next generation of the nation. Urie Bronfenbrenner, an expert in developmental psychology, developed ecological systems theory to explain how the environment in which children live can affect a child's growth and development. Children are social individuals who need relationships and communication with others to humanize themselves. The child wants to be loved, wants to be recognized and appreciated. They want to be counted and have a place in their group. Only in communication and relationships with others (with teachers, educators, caregivers, parents, family members, peers, groups and others) can he develop to maturity.

According to the Convention on the rights of the child which was ratified in 1989 by the United Nations, there are 4 basic rights that must be fulfilled, namely, the right to survival, the right to protection, the right to growth and development, and the right to participate. Law No. 23 of 2002 on Child Protection Article 1 Paragraph (2) states that child protection is all activities to ensure and protect children and their rights in order to live, grow, develop, and participate, optimally, in accordance with the dignity and human dignity, as well as protection from abuse and discrimination. Based on this statement, every child should have the same rights. The experience of sexual abuse in childhood appears to have an impact on the child later in life, however, this experience of sexual abuse is not a necessary prerequisite, nor a sufficient prerequisite for child sexual abuse.

In Malang, the handling of sexual abuse cases is carried out by one of the institutions, namely the Child Protection field in the social service with the main tasks and functions according to Malang Mayor Regulation Number 36 of 2021 concerning the position, organizational structure, duties and functions and work procedures of the Malang City Social

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doi:

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Service and Malang regional Regulation Number 12 of 2015 concerning the protection of women and Children Victims of violence. Sexual abuse against children is still a serious concern by the Government of Malang as a local government, as referred to in Article 20 of Law No. 35 of 2014 concerning amendments to Law No. 23 of 2002 concerning child protection that the state, government, and local governments are obliged and responsible for providing support facilities, infrastructure, and the availability of human resources in the implementation of the protection of women and children. In fact, Malang City is still not free from cases of child sexual abuse and even an increase in cases from year to year. According to social service records, at least starting from 2020-2022 cases of sexual violence against women and children are still ongoing, namely in 2020 there were 42 cases, in 2021 there was a decrease of 37 cases, while in 2022 there was an increase of 52 cases.

Based on the explanation above, the author is interested in researching and examining more deeply about how the role of Social Services in providing protection to child victims of abuse and what factors inhibit Social Services in providing protection to child victims of sexual abuse.

## 2. Method

The method of problem approach that will be used in this study is a sociological juridical approach that is done by examining the applicable legal provisions and what happens in reality in society. The output of sociological Empirical Legal Research is a recommendation about the effectiveness or not of an implementation of the law in the broadest sense in the world of reality (empirical).

## 3. Result and Discussion

### **The Role Of Social Services For Women Empowerment, Child Protection, Population Control And Family Planning In The Protection Of Child Victims Of Sexual Abuse**

The program of child victims of sexual abuse in Social Services obtained by the author through observation and interview includes the following:

#### a. Complaint Service

The complaint Service is an access for the people of Malang to report directly incidents of sexual harassment and violence against children and women either experienced by themselves or encountered in the community. This service is expected to facilitate access for reporting victims of violence and sexual harassment. The complaint service itself according to Permen PPA Number 2 of 2011 states that the Integrated Service Unit or complaint Service is in the form of a place called shelter or safe house, or an existing integrated service center based at Bhayangkara Hospital or so on. According to the observation of the author at the time of research in the Social Service of Malang, there are three (3) safe houses available.

#### b. Outreach Services

Victim outreach is an action to respond to reports of alleged problems of women and children that need to be proven and followed up. The outreach procedure is carried out taking into account the following points:

- a) women and children report their problems either directly or represented by their families or the community to social services, coming directly or by phone or whatsapp.
- b) then an analysis of the case is carried out by the social service whether or not outreach is necessary.
- c) Social Services coordinate with related parties, among others, RT/RW, Village midwives, sub-districts, or police.

Regulation of the Minister of women's empowerment and Child Protection No. 2 of 2011 on guidelines for handling child victims of violence describes victim outreach or victim identification aims to find out someone who is reported as a true victim of violence, knowing the condition of the victim in physical, psychological, and psychological conditions and the wishes of the victim related to the case. Furthermore, to find out the needs of someone who is suspected of being a victim, temporary residence must be met immediately if the victim is from outside the area, protection if the victim is threatened with safety, treatment, assistance, home visits,

referrals and others. To fulfill it all, social services should have adequate facilities and infrastructure.

c. Case Management Services (Assessment)

In case management, the Social Service ensures the consent of the victim and parents and ensures the presence of a companion to continue managing the case to the litigation stage. Then the Social Service conducted an interview with the victim about the problems and complaints they experienced. In addition, it also observes the condition of the victim whether the victim needs further treatment or not. If further treatment is needed, social services coordinate with related parties in accordance with the needs of the victim.

d. Mediation Services (Intervention)

Social Services Act as mediators between victims and perpetrators or families in resolving conflicts. In addition, Social Services also connect victims with government agencies in terms of handling victims, for example with the police, prosecutors, courts, and others.

e. Victim Assistance Services (Screening)

Among them are legal assistance assistance, health service assistance, psychological examination services, monitoring the condition of the victim on a regular basis.

As a form of prevention of sexual harassment in Malang, the Social Service seeks to hold technical guidance to puskesmas, bhabinkamtibmas, PKK, BK teachers; coordination meetings between regional device organizations; renewal of brochures or leaflets about sexual harassment, and socialization with the theme of strengthening children's forums as pioneers and reporters. This socialization is carried out to the regional level of the city, district, village. Socialization is carried out so that students understand about sexual crimes and how to overcome them. The socialization carried out by the Social Service uses two methods. First directly through direct activities or seminars. Both indirectly through print and electronic media. Candy Empowerment of Women and Protection of Children Number 2 2011 in Article 5 describes the government, local government, community organizations, institutions dealing with child victims of violence can do community empowerment. The empowerment in question is the strengthening of community institutions, improving education and skills of officers in handling violence against children and the development of networks and community information. The importance of socialization and empowerment related to handling victims of sexual harassment is also an important element in the role of Social Services.

## **Factors Inhibiting Social Services In Providing Protection Against Child Sexual Abuse Victims**

### **1. Condition Of The Victim**

The condition of the victim is a state and situation of koban that cannot be imposed by anyone. The state of the victim both physically and psychologically becomes the victim's choice. Victims have suffered physically and spiritually because of the sexual violence they have experienced. Not infrequently the condition of the victim who suffers both physically and mentally limits himself to others until he feels he is quite capable of dealing with what he has experienced. Seeing this, even social services cannot force the will to fulfill the rights that should be fulfilled for victims of sexual harassment. So every action and step of the Social Service must have the consent of the victim so as not to worsen the impact that has been felt as a victim of sexual harassment. The condition of the victim itself is included in the technical conditions in the field that affect the efforts to handle victims of sexual harassment in Malang. The victim's condition includes the location of the victim's home, and the psychological condition of the victim and the family who close themselves because they consider this sexual harassment a disgrace so they are ashamed to tell.

### **2. Limited Natural Resources**

Human resources are the most important factor in implementing the handling of service programs for child victims of sexual abuse in Malang. In the field of protection of women and children have counselors, mediators, analysts of women's protection. According To Mrs. Nurul

Rahmawati S.E., M.E said that human resources in the field of PPA are still limited, namely only four ASN, with a city area that is so wide and the cases are increasing every year. In addition, it still has to deal with women's Affairs, Children, violence, growth and development, and others, so the division can be said to be difficult. If the case is not reported, the case cannot be handled. Handling each case also requires a very long time to months even after that there are still those who contact for assistance in court. In the Social Service there is no mediator or task force. However, the PPA task force exists and is located in Kedungkandang District. Both of these things become factors inhibiting the implementation of the handling of Child Sexual Abuse Victims Service program in Malang.

#### 4. Conclusion

The study found that sexual abuse of children in Malang includes various forms of non-physical and physical behavior, such as inappropriate comments, gestures, and unwanted physical contact. The implications of this study highlight the urgent need for further strengthening of legal protection, institutional capacity, and public awareness to effectively prevent and address the problem of child abuse in Malang.

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