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**Implementation of Protection for Child Victims of Sexual Violence in the City of Surakarta**

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**ABSTRACT**

The purpose of writing research using empirical juridical methods is to find out the types of sexual violence, its implementation and also the constraints and efforts on children that occur in the city of Surakarta. The juridical method is by examining secondary data. The results of this study are that there are 15 types of cases of sexual violence against children with domestic violence at their peak with the implementation of legal protection based on the law and under the auspices of the apparatus and related agencies. The difficulty of finding witnesses for the protection of victims of child abuse is an obstacle for the parties involved. Efforts that can be made in this regard development of a model for handling child victims of sexual violence based on local wisdom values in Surakarta, namely trauma healing and family healing as a means of releasing the burden resulting from the presence of victims of sexual violence.

Keywords : children, sexual violence, legal protection

**INTRODUCTION**

Sexual violence is a series of relationships or interactions between a child and someone older or with a child who has more insight or an adult (siblings, strangers or parents who do not have the mental and financial resources to educate such as parents or caregivers). Sexual violence itself is a form of issue that has long been discussed in society, the word harassment is an inappropriate word and has the character of violence. Where children are used as gratifiers to serve their sexual desires. As technology advances increasingly rapidly, it becomes a factor of change for society, both positive and negative factors (Mannika 2018). Technological advances mean that communication between countries will have a big influence on society. Factors that can be really felt are social, cultural and moral factors in general, especially the younger generation. Apart from being an object, the young generation is also a subject in the development of the young generation for the Indonesian nation (Paradias and Soponyono 2022).

The phenomenon of sexual violence that occurs against children in Indonesia is starting to come into the spotlight from various circles with the broadcast of criminal programs, such as cases of rape committed by the victim's family or people close to the victim, cases of sodomy, trafficking of children to be exploited to become commercial sex workers. to murders broadcast by private television stations in a vulgar manner (Ismaidar and Rahmayanti 2023). This phenomenon has become a peak phenomenon that cannot be seen by the naked eye, even though in fact there are many cases of violence against children and cases of sexual harassment which are increasing in number of victims and increasing significantly in various regions of Indonesia.

The low level of quality of children as a series of relationships between a child and an adult has caused many problems from various levels of society. The question that is often asked is to what extent the government has tried to legally protect children so that children are guaranteed continuity of life and life as a human right. In this case, awareness of legal authorities and the public regarding the importance of protection for children is very much needed because children must also receive adequate protection rights (Putu et al. 2019). Physical and mental violence, even the violence experienced by many children today, is something that has a huge mental impact on children. In an effort to overcome and prevent sexual violence against children that occurs in the city of Surakarta, the Surakarta City DPPAPM has made efforts in various ways, one of which is by establishing a communication forum between Surakarta

children (FAS) at both sub-district and sub-district levels which functions to increase participation. , as a forum for aspirations, and as a forum to fight for children's rights and at the same time serve as a forum for communication between children in the city of Surakarta. Apart from that, DPPAM Surakarta as the coordinator of UPT PTPAS has built Integrated Service Posts (PPT) in every sub-district in Surakarta City, and it is hoped that this can reduce sexual violence against children, which is one of the manifestations and roles carried out by DPPAM. However, it is hoped that the efforts made by DPPAM will reduce the number of sexual violence against children in the city of Surakarta. Sexual violence against children is also a threat, especially in the city of Solo, there are many victims of violence against children which should be reduced or even eliminated in the city of Solo.(Hafrida and Helmi 2020).

Victims of sexual harassment in the city of Solo itself increased after the outbreak of Covid-19. Based on the UPT for Integrated Services for Women and Children in Solo (PTPAS), in 2020 there was sexual violence against children. Meanwhile, in 2021 the number will increase to 16 children who are victims of sexual violence and violence. With the emergence of levels of violence against children, one of the triggers is dating applications that are used without supervision from those closest to them. Since 2002, child protection has received attention from the government with the enactment of Law Number 23 of 2002 concerning Child Protection which was later changed to Law No. 23 of 2014 concerning Child Protection contained in Article 64 which contains education, rehabilitation, assistance and provision. protection. According to the 1945 Constitution, the importance of children is stated in article 34 of the law which states "the poor and children are cared for by the state, this can be explained by the fact that children are subjects of state law who must be protected, nurtured and cared for in order to achieve prosperity." and live in society. In other words, the government and society are responsible for the child. Then in article 1 (2) of Law Number 3 of 1997 which states that "a child is a person in the criminal code who has reached the age of eighteen years but has not yet reached the age of 18 years and has never been married and then divorced. If a child is considered married but divorced before reaching the age of eighteen, the child is considered an adult.

Based on the background of the problem being discussed, the author is interested in researching phenomena regarding, (1). What are the types and forms of sexual violence against children in the city of Surakarta (2). How is the implementation of legal protection for child victims of sexual violence in Surakarta City (3). What are the obstacles to implementing protection for child victims of sexual violence in the city of Surakarta and how to overcome them? With aim (1). Knowing the types of sexual violence against children that occur in Surakarta City, (2). Knowing the implementation of protection for child victims of sexual violence in Surakarta City, and (3). Knowing the obstacles to implementing protection for child victims of sexual violence in Surakarta City and how to overcome them.

## RESEARCH METHODS

The approach method used in this research is empirical jurisprudence. The empirical judicial approach is a method or structure used to solve problems by examining secondary data first and then continuing by examining primary data found in the field. The type of research that researchers use is a qualitative descriptive method(Sugiyono 2017), where this type of research accurately describes the characteristics of an individual, symptoms, circumstances of a particular group that occur in society. In this research, the researcher took the research location at the Community Empowerment, Women, Child Protection and Family Planning Agency of the Surakarta City Government. Data sources come from primary data and secondary data, (1). Primary Data, is direct information originating from interviews at the Community Empowerment, Women, Child Protection and Family Planning Agency of the Surakarta City Government, and (2). Secondary Data is primary legal material originating from official documents, books, previous research reports, journals, scientific works and statutory regulations. This research uses literature studies, apart from that it also uses field studies at the Community Empowerment, Women, Child Protection and Family Planning Agency of the Surakarta City Government. Researchers carried out

descriptive qualitative data analysis. As for drawing conclusions, researchers use inductive techniques where conclusions are drawn by drawing general conclusions based on specific scenarios.

## RESULTS AND DISCUSSION

### 1) Forms of sexual violence against children in the city of Surakarta

Sexual violence does not only manifest in one form, but is always present in various types or modes of action. This happens because perpetrators of violence usually have various ways to carry out their depraved acts. Sexual violence can come from anywhere and at any time, sexual violence is often found in families. Domestic Violence (KDRT), also commonly called Incest, is part of familial abuse or sexual harassment in the family. Incest means a form of sexual violence committed between people who are still in a family relationship. In this case, the victim and perpetrator are still related by blood and are part of the nuclear family (Lecture 2018).

Domestic Violence is just one example of the many cases of violence against children around us. Apart from domestic violence, forms of sexual violence against children in the city of Surakarta are as shown in table 1.1.

Table 1.1 Data on UPT PTPAS Case Handling for 2017-2023

No	Type Case	Number of children						
		2017	2018	2019	2020	2021	2022	2023
1	Sexual Violence			11	5	16	19	
2	Persecution	3	1	3	2	7	3	
3	Domestic Violence (Physical/Psychological/Sexual/Neglect)	12	30	15	14	23	18	8
4	Child Custody	7			2	4		
5	Trafficking/ Trade	1	1	1				
6	Bullying		3	4	10	3		1
7	ABH (Perpetrator)						9	
8	ABH (Drugs)		1					
9	ABH (Theft)				3			
10	Childcare		3	6				
11	Rape/Infidelity	6	3					
12	Obscenity	12	10					
13	KDP (Dating Violence)							
14	Psychological Violence and Neglect		4	6				
15	Childcare							11
<b>Amount Case City Surakarta</b>		49	45	46	36	53	70	
<b>Number of Cases in the City (TKP / domicile client Surakarta)</b>		3	6	16	9	5	13	1
<b>Total Number of Cases</b>		52	51	62	45	58	83	36

From the 2017-2023 UPT PTPAS Case Handling data table in the city of Surakarta, there are 15 types of violence cases which include sexual violence, abuse, domestic violence (physical/psychological/sexual/neglect), child custody, abuse/trafficking, ABH perpetrators (children who related to the law as perpetrators), ABH drugs (children who are in contact with the law as drug users) ABH theft (children who are in contact with the law as perpetrators of theft), child care, rape/sexual intercourse, sexual abuse, KDP (Dating Violence), Psychological Violence and Neglect, and Childcare.

Sexual violence in this study includes various acts of sexual harassment and rape. The scope of sexual harassment is broad, in the form of expressions such as jokes, comments, or dirty words, there is also indecent behavior such as porn, dating in public by forcefully kissing or hugging. Sexual violence like this is in line with the meaning of sexual violence according to (Fatura 2019). In other words, sexual harassment refers to all forms of violent acts that have sexual overtones. This is categorized into various unwanted behaviors that have sexual meaning, whether through physical or non-physical touch targeting the victim's vital (sexual) organs or sexuality. For example, using sexually suggestive speech, displaying pornographic material and sexual desires, whistling, flirting, poking or touching body parts, movements or gestures of a sexual nature that result in feeling uncomfortable, offended, feeling that one's dignity is being humiliated, and possibly causing health problems. and safety. Violence in the city of Surakarta actually occurs a lot among junior high school children, but currently the highest level of violence is experienced by elementary school children, especially in cases of domestic violence, bullying, sexual abuse and abuse.

## **2) Implementation of legal protection for child victims of sexual violence in the city of Surakarta**

Cases of sexual violence in Indonesia are increasing every year, with the victims not only being adults but now also reaching teenagers, children and even toddlers. (Noviana 2015). Basically, sexual violence threatens the existence of the victims. This happens because sexual violence always harms the other who is the object of the act. The losses to victims of sexual violence are not only physical, but prolonged trauma can give birth to unhealthy traits such as feeling inferior. Proper treatment for victims of sexual violence is very important for children, especially children who do not live with their two children.

The specific handling of sexual violence against children in the city of Surakarta certainly involves legal action to protect victims. Implementation like this is the first step that must be carried out quickly. Legal channels are mandatory for handling sexual violence, but it would be better to apply other routes before it becomes legal. Another route referred to is that while cases can be resolved amicably, they will be resolved without involving the law, namely by mediation. For example, domestic violence, abuse by a child's parents against their child in order to defend their child. Legal process for cases of violence in Surakarta: when someone reports it, they will be accompanied to report it to the police, then accompanied to the BAP, even when the reporter needs a post mortem then the UPT PTPAS also accompanies him until the trial process, even after the trial is over the victim remains accompanied so that the victim not ostracized by society. However, if the psychological victim has been affected and is not mentally strong, they will be directed to a psychologist, even if their soul is depressed and the trauma is severe, then the UTP PTPAS will hand them over to a psychiatrist.

This form of pre-emptive protection is a preventive effort by law enforcement officials and related agencies by means of socialization, campaign programs and legal counseling with the aim of providing advocacy for the prevention of sexual violence against children. (Karen nd2020). Apart from pre-emptive, there is also a form of preventive protection, namely protection for child victims of sexual violence carried out by law enforcement and related agencies (Suyanto, 2012: 24) which is a follow-up preventive action in the form of implementing this prevention. An example of this legal protection effort is the protection of child victims of sexual violence with the hope of providing a positive effect on acts of sexual violence. This begins with an investigation into the case and will be processed legally in accordance with applicable legal norms and fulfillment of children's rights to obtain justice. (Ni Made Darmakanti et al 2022). Based on an explanation of the forms of legal protection for child victims of sexual violence from the police and related agencies, which are regulated in statutory regulations related to the protection of child victims of sexual violence, which are regulated in article 69 A of Law Number 35 of 2014 concerning protection children and there are also provisions in the Buleleng Regency Regional Regulation Number 5 of 2019 concerning the protection of women and children from acts of violence, which is regulated in article 7 concerning child victims of acts of violence.

### 3) Obstacles in protecting child victims of sexual violence in the city of Surakarta and efforts to overcome this.

Child protection is carried out with the aim of ensuring children's needs so that they can live, grow and develop and adapt in accordance with human dignity. Child protection is carried out to obtain security from violence and discrimination in order to create children who are of good quality, have noble character and prosperity (Saraswati, 2015: 25). The implementation of legal protection for child victims of sexual violence certainly has internal and external obstacles or challenges. Internally, these obstacles come from factors within the law enforcement apparatus or from related agencies, while externally these obstacles usually occur due to factors outside the apparatus, such as from the victim himself or from the environment. (Triwahyuningsih 2018)

Obstacles to the protection of enforcement of special assistance in cases of sexual violence include In the city of Surakarta, it is difficult to collect witnesses and evidence because when there are witnesses it is likely that this case will not occur or will not be brought to justice. The second obstacle is that victims sometimes feel even more traumatized due to the long police investigation process. In fact, previously the police investigation process took a long time due to the difficulty of collecting evidence considering that in the legal realm the section must be present in or at a trial. (Looking for witnesses and especially victims). The third obstacle, a client with an unstable mood, such as when the victim is reluctant to submit a report of violence to the authorities, and also when the victim is down and has not yet been interviewed by the authorities, certainly cannot be forced, all of these actions hamper the legal process.

Implementation obstacles in handling sexual violence in the City of Surakarta based on the results of research that has been carried out, the obstacle faced by the government in handling child victims of sexual violence in the City of Surakarta is by carrying out rehabilitation in the Regency Government. In the city of Surakarta there are still limitations, this is due to inadequate rehabilitation facilities and infrastructure for children victims of sexual abuse, so it is still difficult for the government to employ psychologists who can help children recover from the trauma of sexual abuse. Based on the research results, researchers can conclude that handling cases of child violence is carried out using a model based on local wisdom in the city of Surakarta, namely traumatic healing and family healing, which is carried out with an approach to family members (convergence) so that children can communicate well in order to reduce the risk of becoming victims. sexual violence.

## CONCLUSION

Based on the results and discussion that have been presented, the following conclusions can be formulated.

1. Forms of sexual violence against children in the city of Surakarta consist of 15 types of violence cases which include sexual violence, abuse, domestic violence (physical/psychological/sexual/neglect), child custody, stretching/traffcking, ABH perpetrators (children who are in contact with the law as perpetrators ), ABH drugs (children who are in contact with the law as drug users), ABH theft (children who are in contact with the law as perpetrators of theft), child care, rape/sexual intercourse, sexual abuse, KDP (Dating Violence), Psychological Violence and Neglect, and Parenting child. Sexual violence in Surakarta is dominated by domestic violence and currently elementary school children also dominate the number of cases of sexual violence.
2. Implementation of legal protection for child victims of sexual violence in the city of Surakarta. Special handling of sexual violence against children in the city of Surakarta certainly involves legal treatment to protect victims. Implementation like this is the first step that must be carried out quickly. Legal channels are mandatory for handling sexual violence, but it would be better to apply other routes before it becomes legal.

3. In the city of Surakarta, obstacles to the protection of enforcement of special assistance in cases of sexual violence include the difficulty of gathering witnesses and evidence because when there are witnesses it is likely that this case will not occur or will not be brought to justice. The second obstacle is that victims sometimes feel even more traumatized due to the long police investigation process. In fact, previously the police investigation process took a long time due to the difficulty of collecting evidence considering that in the legal realm the section must be present in or at a trial. (Looking for witnesses and especially victims). The third obstacle, a client with an unstable mood, such as when the victim is reluctant to submit a report of violence to the authorities, and also when the victim is down and has not yet been interviewed by the authorities, certainly cannot be forced, all of these actions hamper the legal process. Based on the research results, researchers can conclude that handling cases of child violence is carried out using a model based on local wisdom in the city of Surakarta, namely traumatic healing, which is carried out by approaching family members (convergence) so that children can communicate well in order to reduce the risk of becoming victims of sexual violence.

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