

Child Abuse in Garut Regency

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ABSTRACT

This study was motivated by the rampant cases of violence against children in Indonesia reported by various media, including that occurred in Garut Regency. As a state law, Indonesia has a Child Protection Act and a legal institution to protect children; but the implementation is not effective enough to minimize the number of child abuse cases. The theory used on this study is related to “social service” that derived from public service. The process in managing the case of child abuse is conducted by the coordination among legal authorities in social service and child abuse treatment. This study is conducted by qualitative descriptive approach. The informants on this study were the administrators of the service institution that handling child abuse cases, which was determined purposively with the total number of 9 people. The data analysis conducted by verbal with data reduction steps, data presentation, and verification. The result of this research showed that the process management of child abuse cases is carried out in stages, synergy in handling child abuse has been done well. Although there are still obstacles found such as limited human resources, time and facility, no post-handling case associations, lack of community participation, and communication with victims.

Keywords: child abuse, social service.

1. INTRODUCTION

There are still many child abuse cases that reported by all media in Indonesia. The cases form as physical abuse, psychological or emotional abuse, sexual abuse and social abuse. The children who became victims can suffer physical or non-physical damage due to the abuse. The physical damage occurs such as injury, disability, even death. Non-physical damage that can occur such as mental disturbance, trauma, even endless fear.

Based on constitution no.3, 2002 relating to child protection verse 1 chapter 1, “child is a person who are below 18 years old including fetus.”

These child abuse case variety become a concern of society. Based on the data obtained from Ministry of Social Affairs, violence has tendency to occur on family

environment, public facility, even school environment. The perpetrator itself can be the children's parents, one of the family members, and people surround the children

Indonesia is country that adheres to the rule of law system. As a legal state, it is appropriate to uphold the law. Indonesia has a Child Protection Act and a special institution to protect children. The legal basis for the implementation of child protection in Indonesia refers to national and international legislation. The national's main legal basis is constitution No. 23, 2002, concerning Child Protection, which contains all activities to guarantee and protect children and their rights to remain alive, grow, develop, and participate optimally in accordance with human dignity and get protection from violence and discrimination. Other policies were issued to protect and provide protection for children, in constitution number 39, 1999, concerning Human Rights, where article 52 to article 66 regulates children's rights.

Child protection is also considered important and has become an international spotlight. This can be seen from the emergence of several International Conventions and Protocols which are used as the basis for international law related to child protection, including the Convention on the Rights of the Child which was approved by the United Nations General Assembly on 20 November 1989.

Even though in Indonesia there have been legal bases that coping with child protection, the child protection system is currently considered not integrated yet. This can be seen from the rampant news of cases of violence against children.

These are some of the phenomena of violence against children revealed in Garut Regency, 2018 :

- 1) Last January 29, 2018, a viral video showing the mistreatment of a caregiver against her employer's baby. The video shows that the baby is repeatedly treated improperly. (Anggundini, 2018)
- 2) Physical abuse carried out by a mother against her own biological child on 19 February 2018 ago by ironing. Physical violence results in burns of almost all parts of his leg. After being investigated, it turned out that the mother often tortured her child. (Putra, 2018)
- 3) A farmer raped his own child who is still 13 years old. Sexual violence committed by a father against his biological child has been going on for four years, since 2014, and finally found out on April 2018. (Ghani, 2018)

Some of the cases mentioned reflect that the system of protection for children in Garut Regency has not run as it should. The existing legal protection has not been effective enough to provide a deterrent effect on perpetrators of child abuse. Therefore, based on the explanation described, researchers are interested in conducting further research related to child abuse in Garut Regency.

The purpose of the research is to find out child abuse management process in Garut Regency, the synergy of authorities in handling child abuse cases and factors that become obstacle in handling child abuse case.

2. LITERATURE REVIEW

In general, violence is a term that is used to describe an overt or a covert behavior that is offensive or defensive by using power towards other people. Ricard J. Gelles

interpreted child abuse as an intentional act that cause harm or danger towards children both physically and emotionally . (Suradi, 2013)

According to UNICEF child abuse can be categorized as four category, they are physical abuse, psychological abuse, sexual abuse, and social abuse. Physical abuse is any action that results in or may result in physical damage or physical pain. Psychological abuse is a behavior that is intended to intimidate and persecute, including the situation of feeling unsafe and uncomfortable experienced by children. Psychological abuse can be in the form of reducing self-esteem and dignity of the victim, threatening or misusing authority, limiting their right to go outside, supervising, taking custody of children, isolating, verbal aggression and constant humiliation. (Rakhmad, 2016) Sexual abuse is an unwanted sexual approach or sexual harassment. A condition when a child is tortured or treated sexually, aiming to exploit sex where someone satisfies his sexual desire towards others. Meanwhile, social abuse includes child neglect. Attitudes and treatment of parents who do not give proper attention to the process of child development. (Mahfiana, 2011)

Social service basically created to give help to an individual and society in facing various problems. Alfred J. Khan distinguishes social services into two groups, in a broad sense, and in a narrow sense. In a broad sense, social service is defined as a service consisting of programs that are held without considering market criteria, to guarantee a basic level in the provision of facilities, fulfillment of health, education and welfare needs in order to improve people's lives and the ability of individuals to carry out their functions. In a narrow sense, social services include relief and protection programs for disadvantaged groups, such as social services for neglected children, victims of violence, poor families, people with disabilities, *tuna sosial* (term for homeless, recidivist , or people with AIDS), and so on. (Setyawati & Raharjo, 2016)

The concept of social services for handling cases of child abuse is born on the basis of the need to provide access to justice for children who become violence victim. In addition, it is also a strategy to meet the victims' needs in the recovery process. The variety of cases of violence experienced by children requires a promptly serious approach and handling.

The process of social services is carried out in stages. The stages carried consist of three stages, they are: the stage of identification, diagnosis and treatment or problem solving efforts. (Norprihono, 2017) First, the identification of symptoms is intended to have a better understanding of the problems that exist as social symptoms including the intensity, pattern and the extent of the problems that occur. Second, the stage of diagnosis is intended to see social phenomena related to the problem, looking for background and factors that cause social problems, in this study is child abuse. Diagnosis is an attempt to determine what problem does the client experience or to determine the clients' needs (individuals and groups) based on existing data. This is done by making a work plan that will be carried out by social workers to help individuals and groups in solving their problems. The third is treatment, which is a stage to formulate problem-solving efforts based on the results of diagnosis. (Setyaningrum, 2012)

Hasenfeld, explained the definition of a social service organization is a group of individuals who are members of an organization whose main function is to protect, maintain or enhance social welfare of individuals, groups and communities. (Setyawati

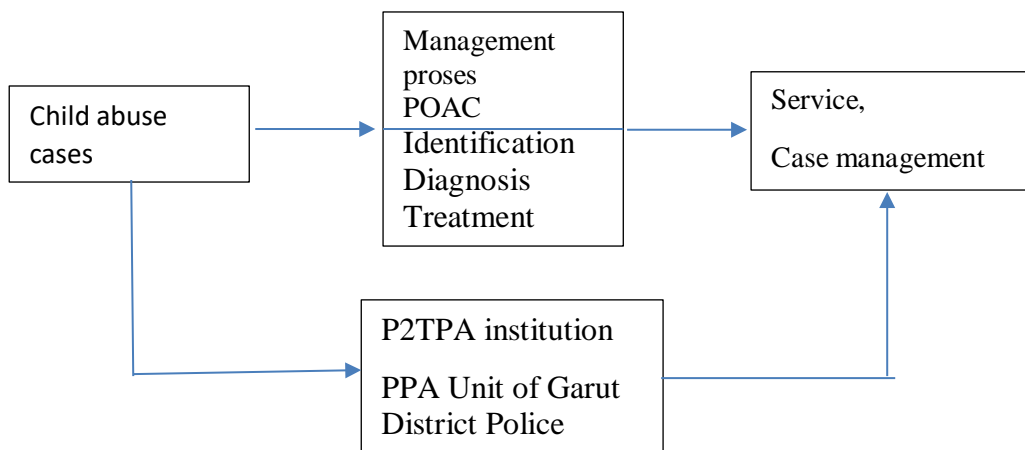
& Raharjo, 2016) Each organization has different methods and policies in carrying out social services.

In an organization there are leaders and employees. In realizing organizational goals, the relationship between employees and leaders must go well. To build a harmonious relationship between employees and leaders, communication is needed. Communication in the organization is divided into two dimensions, vertical communication and horizontal communication. Horizontally means that it is done from top to bottom (leaders to subordinates, or vice versa), while verticals are carried out parallel to fellow employees which results in ongoing synergies in work (operations and management). The relationships that are formed in an organization aim to achieve a better development by creating synergistic cooperative relationships. (Pace & Don, 2005)

In line with (Candradewini, 2018) that said communication is one of the indicators to know organization's capacity process, besides problem solving and decision making.

Synergy is essentially an interaction of two or more parties that interact with each other and establish dynamic relationships to achieve common goals. (Aditya, Sarwono, & Rozikin, 2014) All forms of organizations where people work together to achieve a particular goal need coordination. Coordination is an achievement of harmony between individuals and groups towards a particular goal.

Coordination is carried out through four stages of management; planning, organizing, actuating, and controlling. (Syamsuddin, 2017) Planning is the process of determining the objectives and guidelines for implementation, by choosing the best of the alternatives; organizing is a process of determining, grouping, and arranging various activities needed to achieve a goal; direction is to direct all subordinates, to be willing to work together and work effectively to achieve goals; and control is the process of regulating various factors in a company to conform to the provisions in the plan.



Picture 1 : Research Paradigm

3. METHOD

The approach or method used in this research is descriptive qualitative research methods. The reason researchers use this method is that the researchers want to describe how the process of child abuse case management process in Garut Regency ; how the synergy among the authorities in managing the cases child abuse is and what factors that become obstacles in resolving child abuse case in Garut Regency are.

Data collection techniques was conducted through interviews and observation and documentation studies was conducted through secondary data. The informants in this study were the administrators of the service institution handling child abuse cases, which was determined purposively by the total number of 9 people. Data analysis was carried out verbally by the stages of data reduction, data presentation, and conclusion drawing / verification.

4. FINDING AND DISCUSSION

4.1 Child Abuse Case Management Process In Garut Regency

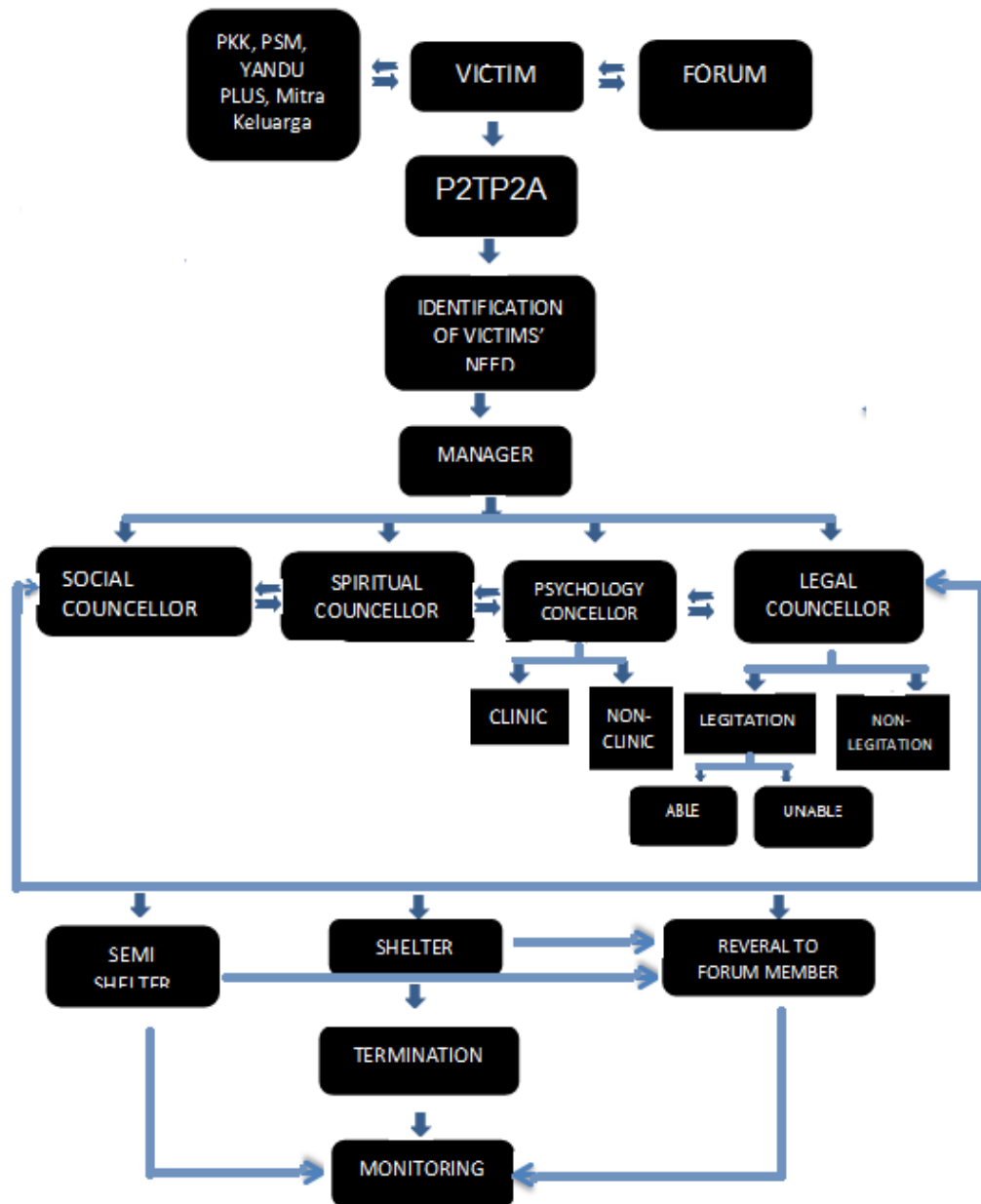
Integrated Service Center for Women and Children Empowerment, from now on is abbreviated as P2TP2A. P2TP2A Garut Regency is an integrated activity center that provides services for women and children who become victims of violence in Garut Regency, including information services, psychological and legal consultations, assistance and advocacy, and free referral of medical and home services for free. This institution, confirmed through the Decree of the Regent of Garut Number 260 / Kep.211-Dp2KBP3A / 2017 concerning the Establishment of an Integrated Service Center for Women and Children Empowerment, Garut Regency.

The main task of P2TP2A is to carry out some of the tasks of the regional government in providing services in a fast, precise and integrated manner in the effort of empowering women and protecting children from acts of violence, discrimination and human trafficking.

In handling cases of violence against children, it cannot be done by one or two parties, but requires cooperation among various parties. Therefore, it is necessary to build awareness and willingness from various parties or institutions to work in a network so that they can synergize in dealing violence victims, especially children.. P2TP2A cooperates with the Police through the PPA Unit of Garut District Police, the Social Service, and civil society organizations that are responsible for protecting children.

Some of the activity scope carried out by P2TP2A Garut Regency includes, dissemination of various information and regulations that are useful for increasing understanding, solidarity and the ability to prevent the occurrence of violence against women and children, Post Complaint service, Consultation and Assistance for violence victims for women and children for 24 hours, counseling in the fields of medical, psychological, legal, social and household harmony, referral, and semi shelter, shelter and post shelter. For a system to manage women and children who become victims of violence, it is carried out using an integrated approach in a network of the forum for managing Women and Children abuse victim in Garut Regency.

The process of social services for child abuse victim as follows:



Picture 2. The scheme of service process for child abuse victims at P2TP2A

As seen from the flowchart above, services and child abuse management processes are started with:

- 1) The people report the child as the victim of abuse to maternal and child health services, civil society organization, the community leaders that are responsible for protections of women and children. However, the victim coming and reporting about the abuse cases to the leaders of community is regarded as the effective way.
- 2) The second step is to report to P2TP2A Garut regency. This institution then identifies the victim needs by conducting assignment. After that, the officer will

carry out the administrative processes concerning on services complaints in P2TP2A Garut regency. These processes cover spiritual, medical, psychology, legal counselors and caregiver. As said by one respondent of P2TP2A that...

“Assessment should be firstly done by filling in assistance form (written by victim/his family), collecting victim’s identity (identity and family card), and directing him to consult with psychologist. Then, the victim is taken to service of women and children or PPA Unit in Garut District Police (with assistance). The unit of service of women and children and P2TP2A then take to the hospital to examine about the injuries caused by the abuses and do psychotherapy. Besides, if the case goes further, the victim will be assisted until court proceedings (takes 4-6 months and even more). (Interview conducted on October 18, 2018, at 2 pm, in P2TP2A secretariat office).

The cost of P2TP2A comes from the Regional Budget and Expenditures and other sources of funds that are legal and non-binding. There are two service principles namely basic and service principles. The basic principle covers the respects of human rights, women and children rights, the perspectives of women and children, truth, justice, and legal certainty, the prevention of gender based violence, taking sides to needs and interests of the victims, prioritizing integration and cooperation, and giving professional services. Meanwhile, the service principles involves not trying and blaming the victim, protecting the confidentiality of the victim, giving empathy and supporting the victim, allowing the victim to decide by his own, and free of charge.

After the counselors of P2TP2A Garut served the victims; then, the psychological diagnosis were conducted to decide clinical or non-clinical treatment and whether the victim need litigations or non-litigation.

- 1) After the diagnosis of the victim, the next step is to decide the treatment whether the follow-up semi shelter or shelter is necessary or the victim are taken care by the forum.
- 2) During the treatment, the social-psychology of the victim will be evaluated through home visit. The counselor will terminate the treatment if the victim are considered to be fully recovered.

4.2 The Synergy among Organizations in Handling the Child Abuse Cases

The efforts in handling the child abuse cases require the active roles from various parties to improve the synergy among the stakeholders. This is intended to improve the cooperation among them in order that no one will work as individual. It is very important to build movement together and to share resource between one and another. Therefore, it is necessary to see the roles of each stakeholder.

The fact obtained related to the implementation roles of P2TP2A are found that this institution has been active to provide the services for women and children as the victims of abuses. The services given are information, psychology and legal consultation, assistance and advocacy, free referral of medical and home services in accordance with the main duties and functions.

The following table will show the child abuse cases in Garut regency in the last two years.

Table 1
Types Of Child Abuse in Garut Regency in 2016 and 2017

NO	TYPES OF CHILD ABUSE	2016	2017
1.	PHYSICAL	22	10
2.	PSYCHOLOGICAL	3	5
3.	SEXUAL	22	63
4.	EXPLOITATION	3	0
5.	CHILD CUSTODY	6	4
6.	NEGLECT	14	1
	On Process	25	32
	Complete	45	51
	Total	70	83

Another institution to take care of child and women abuses is unit of services for child protection in Garut District Police. This unit is responsible for managing litigation of women and child abuse cases and plays important role as P2TP2A partner. Besides, this unit is in charge of examining the victim further in child room, assists and runs the visum et repertum. This examination is carried out in collaboration with Dr. Slamet hospital. When the result of diagnosis reveals that the victim needs safe house; then, the child will be placed in the shelter of P2TP2A along with the guidance of child psychologist.

The synergy among P2TP2A institution and PPA unit of Garut District Police, hospital and Garut prosecutor's office has functioned well. All these institutions involved can carry out the duties, functions and responsibilities well. However, there was obstacle found as the PPA unit require witnesses, some people are reluctant to testify. This is in line with the informant 4 form PPA unit of Garut District Police stated as follows:

“... that some people do not understand about law. When they are asked to attend as witness, they do not show up simply because they are afraid to be questioned further” (October 15, 2018).

4.3 Obstacle Factors in Solving Child Abuse Cases

Some obstacle factors for P2TP2A Garut in giving services to the children as the victims of abuses are explained as follows:

1) The limitation of human resources

There is an imbalance found between the number of victims or clients and human resources available in P2TP2A. Human resources available in P2TP2A Garut are only 15 people with the following positions: 1 person as manager, 3 people as administrative staffs, 3 people as psychological counselors, 2 people as legal counselors, 2 people for spiritual counselors of marriage, 1 person for medical counselor or psychiatrist, 3 people as social counselors, 1 person as caretaker, and 1 person for the handling of child on telephone. This was acknowledged by one informant of 8 P2TP2A employees in his interview as follows:

“... I think the obstacle that P2TP2A Garut faces is the limitation of human resources. It is almost impossible that the counselors can give counseling to some victims in the same time. Besides, the cases of each victim are different...” (Interviewed, October 16, 2018).

The third informant from P2TP2A employee also stated the same that:

“... the obstacle found is only the human resource. There are only few employees in P2TP2A Garut. As a result, the number of employees in P2TP2A are not comparable with the clients. For example, this institution only have 3 people as psychological counselors. Yet, there is no professional psychologist who is capable of being expert witnesses in the trial. Currently, there are 3 psychological graduates who stand by in the office. One of three psychologist is taken from the other institution that collaborate with P2TP2A. He comes from Bandung and I think it is not optimal because Garut is not the only city that he is responsible for. If one of the three psychologist is sick or on duty in other cities, it can be a trouble especially when there are many victims who come and report here because no one can replace...” (Interview, October 19, 2018).

2) The limitation of time

Handling one case of child abuse requires different time needed depending on the severity of the case. The obstacle is that the time available for each counselor. This is due to each counselor has other jobs in other places such as psychologist, psychiatrist, Islamic boarding school manager. Consequently, they cannot come to the office every day. The counselors only come to the office if the victim comes and needs their services. In other words, these counselors in P2TP2A Garut are on call counselors. This is exactly as revealed by informant 5.

“... The time can be the obstacle for the counselor in providing assistance or counseling to the victim. We are on call counselors and do not always stay in the office. We come to P2TP2A Garut when the victim needs our services. This is because we, the counselors, have another business. For the victims also, they need to make appointment first with the counselors to find the right time. This problem is often complained by the counselors...” (Interview, October 19, 2018).

3) The limitation of room

In P2TP2A Garut, there is only one room used as a place for consultation. In fact, the victims or clients that need consultation are sometimes three people. Furthermore, the shelter room (safe house) available in P2TP2A is also limited, there are only 3 shelter rooms. Therefore, if the number of victims or clients that need services in shelter is exceeding, some of them will be taken to the shelter of work partners such as Swaranisa civil society organization.

4) The limitation of Library

The library available and the book collections are limited. It is necessary to add more literatures so that every person can read the books he wants. The library is very important to increase the victim's knowledge about the child abuse and to be the research reference.

5) No gathering of the victims after the treatment given

In P2TP2A, there is no monthly meeting among the victims particularly the meetings after the victims have been treated. For the victims after the treatment, this meeting can allow the victims to share their stories. This meeting is necessary in order that the victims, after the treatment given, can share thought, support each other.

6) Low of people participation

Some of people do not understand the law well. When they are requested to be witness, they are reluctant to attend simply because they are afraid to be questioned further. (Interview, October 18, 2018)

7) Victim communication

Dealing with the victim of child abuse can sometimes become obstacle because of the different psychological condition. Besides, when handling the disabled victim, the counselors finds difficulty in getting the information of how chronology occurs. Instead, they get the information from the victim's parents or family. This often inhibits the identification because the officers have to wait a psychologist to explain the client's response.

5. DISCUSSION

Firstly, the active role of government is needed. Political will of the government and strategic efforts need to be continued. The roles of government can be realized in making rules or policies that directly target the efforts to stop abusing children and women. Act number 23 of 2002 on child protection, act no. 23 of 2004 on elimination of domestic violence, and act no. 21 of 2007 on elimination of human trafficking crimes should have been implemented at various levels and brought into government agency from top to bottom level. Those rules above are directly related to the elimination of woman and child abuse. In addition, they can be implemented by carrying out the cultural approach; giving critical education to the people on the importance of respect for women and children. The government is also expected to maximize the roles of integrated service center for the empowerment of women and children (P2TP2A) in handling the victims of women and children abuse cases. The other thing the government should do is to cooperate with NGO (non-government organization) and to give support in terms of empowering society.

Secondly, the roles of society are also as important as those of government. Community leaders, spiritual leaders, and civil society organization, well-known as non-government organization, belong to the society that can play important role in eradicating the women and child abuse. The community in this case can play a role in three things; (1) encouraging the government to make rules or policies that protect women and children or revise laws that are considered detrimental to the position of women and children, (2) participating in critical education for the community so that women are aware of their rights and the general public respects women and children, (3). helping to deal with victims of women and children abuse by providing physical, psychological and legal assistance.

Third, another thing should be done is to increase the role of the private sector. Companies with their corporate social responsibility policies actually have great potential

to assist efforts to eliminate woman and child abuse. Therefore, the great potential of the company can be utilized as the efforts to eliminate woman and child abuse.

The good synergy and cooperation among these for strategic groups; government, civil society organization, corporate and funding, will provide sustained strength to eliminate the woman and child abuse.

6. CONCLUSION AND RECOMMENDATIONS

The process of handling cases of child abuse is carried out in stages and detail starting from reporting, identification, diagnosis and treatment / handling. There were those who stopped until the family deliberate was also continued with the investigation by the PPA unit of the police station. But in the halfway there are also those who withdraw the lawsuit because of some reasons of disgrace for the family so that it does not proceed until to the court.

Synergy in handling child abuse has been done well through good coordination between agencies responsible for handling them, namely P2TP2A and PPA Unit in Garut District Police as well as village task force forum groups. Although there are still obstacles, there is a lack of participation from the community.

Inhibiting factors in the resolution child abuse cases in Garut Regency are caused by limited human resources, time and facility (investigation room and library), no post-handling case associations, lack of community participation, communication with victims.

Based on the analysis and conclusions, the first recommendation of this research is to provide intensive counseling to stakeholders and the community in order to participate well, for example when they are asked to be a witness in handling child abuse cases. Second, the victim should report to P2TP2A or PPA Unit in Garut District Police when there is a case of child abuse and do not deter family disgrace so that the perpetrators are deterred.

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