



Analysis Of Bogor Regency Regional Regulation Number 5 Of 2015 Concerning Protection Of Women And Children From Acts Of Violence

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ABSTRAK

Kekerasan berdampak negatif terhadap kesehatan, kesejahteraan sosial, dan stabilitas ekonomi. Dari sudut pandang kesehatan, hal ini menyebabkan cedera fisik dan mental, kecacatan dan masalah kesehatan terkait lainnya. Kekerasan terhadap perempuan dan anak mencakup tindakan yang menimbulkan penderitaan fisik, psikis, seksual, penelantaran dan eksploitasi. Bentuk kekerasan menjadi topik perdebatan penting di berbagai kalangan. Perempuan dan anak seringkali menjadi korban berbagai bentuk kekerasan, termasuk diskriminasi. Kebijakan Perlindungan Perempuan dan Anak dari Tindakan Kekerasan merupakan upaya yang dilakukan Pemerintah Kabupaten Bogor untuk secara khusus memberikan layanan kepada korban kekerasan terhadap perempuan dan anak. Tujuan penelitian ini adalah untuk mengetahui perlindungan hukum terhadap perempuan dan anak. Penelitian ini menggunakan pendekatan hukum yuridis sosiologis dan spesifikasi dalam penelitian ini meliputi deskriptif analitis. Hasil yang diperoleh dalam penelitian ini menunjukkan bahwa Pemerintah telah menjalankan perannya secara ideologis, melalui keberadaan lembaga layanan yang secara fungsional merupakan lembaga layanan medis, hukum, dan psikososial bagi korban kekerasan. Namun masih banyak perbaikan yang diperlukan untuk menurunkan tingkat kekerasan terhadap perempuan dan anak yang terjadi di Kabupaten Bogor mengingat jumlah kasus kekerasan masih mengalami tren peningkatan hingga saat ini.

ABSTRACT

Violence has a negative impact on health, social welfare and economic stability. From a health perspective, this leads to physical and mental injuries, disabilities and other related health problems. Violence against women and children includes acts that cause physical, psychological, sexual suffering, neglect and exploitation. This form of violence is an important topic of debate in various circles.

Women and children are often victims of various forms of violence, including discrimination. The Policy for the Protection of Women and Children from Acts of Violence is an effort made by the Bogor Regency Government to specifically provide services to victims of violence against women and child. The aim of this research is to find out legal protection for women and children. This research uses a sociological juridical legal approach and the specifications in this research include analytical descriptive. The results obtained in this research show that the Government has carried out its role ideologically, through the existence of service institutions which functionally are medical, legal and psychosocial service institutions for victims of violence. However, there are still many improvements needed to reduce the level of violence against women and children that occurs in Bogor Regency considering that the number of cases of violence is still experiencing an increasing trend to date.



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1. Introduction

Cases of violence against women and children are still a collective work to resolve. Violence against women and children is understood as a violation of human rights and a form of discrimination against women and children, which means all acts of gender-based violence that result in, or may result in, harm. physical, sexual, psychological or economic suffering and suffering to women and children, including threats of similar acts of violence, coercion or arbitrary deprivation of liberty, whether in public or in private life. Violence is also defined by the World Health Organization (WHO) as the deliberate use of physical force or power, which threatens or affects oneself, another person, group or community, which results in or has the potential to result in injury, death, psychological disorders, developmental disorders or loss.

Based on Article 1 Paragraph 21 concerning Prevention, this is an effort to develop the capacity and mechanisms of local governments and communities to create conditions that can prevent violence, damage, domestic violence, exploitation and/or abandonment. The Women's Empowerment and Child Protection Service (DP3A) is an agency that has the task of carrying out matters of women's empowerment and child protection which fall under the authority of the Province/City in the areas of secretariat, women's quality of life and the quality of the family, data and information on gender and children, fulfillment of children's rights, protection women's rights and special protection of children as well as supporting duties. Women's empowerment and child protection services have a role in this. This role can be identified through the duties and responsibilities of women's empowerment and child protection services, including preventing acts of violence against women and children. The Integrated Service Center for the Empowerment of Women and Children (P2TP2A) Bogor Regency, West Java revealed that there were 224 incidents of violence against women and children in the area in 2023. Reported from Kompas.com Information regarding 224 incidents of violence including 51 incidents of violence against women and 173 incidents of violence

against children, in the form of verbal, psychological and physical violence. Reported or recorded incidents of violence were triggered by various factors, including economic reasons and infidelity.

2. Methods

The research uses sociological juridical legal methods and the specifications in this research include descriptive analysis. The approach used is an analytical description method approach. Secondary data sources are data obtained by researchers from existing sources.

3. Results and Discussion

Some of the results and discussions that I got were regarding obstacles and solutions so that these regulations can run well in Bogor Regency.

Results

Violence against children and women is indeed an act of blasphemy and emasculation of human dignity. Violence still occurs against children and women at all ages and can be committed by anyone regardless of their level of education, economics, culture or ethnicity¹. The impact of violence on children and women is very serious, with long-term impacts on their physical and mental health. In addition, violence weakens their self-esteem, sense of security, reproductive health, and hinders their education and personal development. This greatly limits the victim's ability to achieve their full potential in life. The Policy for the Protection of Women and Children from Acts of Violence is an effort made by the Bogor Regency Government to specifically provide services to victims of violence against women and children.

According to Soeharto², acts of violence can cause children to lose the most basic things in their lives and in turn have a very serious impact on children's lives in the future, including:

1. Permanent body disability
2. Learning failure
3. Emotional disorders can even lead to personal disorders
4. Poor self-concept and inability to trust or love others
5. Passive and withdrawn from the environment, afraid to build new relationships with other people
6. Aggressive and sometimes commits criminal acts
7. Become a bully when you grow up
8. Using drugs or alcohol

According to Rusmil³, children who suffer from violence, exploitation, abuse and neglect face the risk of :

¹ Ismaidar, S.H., M.H, Dr. Rahmayanti, S.h., M.H. Perlindungan Hukum Terhadap Anak Sebagai Korban Kekerasan Dalam Rumah Tangga, Purbalingga : Eureka Media Aksara, April 2023, hlm, 21.

² Huraerah, A. Kekerasan terhadap anak, Bandung : Nuansa, 2006, hlm, 44.

³ Ibid, hlm, 44.

1. Shorter lifespan
2. bad physical and mental violence
3. educational problems
4. limited abilities as future parents
5. become homeless

Bogor Regency Regional Regulation Number 5 of 2015 concerning the Protection of Women and Children from Acts of Violence consists of 40 articles, stipulated on March 2 2015. In Chapter II in article 4 regarding the Goals of Protecting Women and Children from Violence, the aim is to: Prevent acts of violence against women and children, protect women and children, serve women and children who are victims of violence, and give them a sense of security. Carrying out rehabilitation and social reintegration for women and children victims of violence, the Regional Government of Bogor Regency has firmly stated the aim of Protection of Women and Children from Acts of Violence to prevent acts of violence against women and children. However, this is not directly proportional to current conditions, because cases of violence are still quite large, especially violence that befalls women and children. In Bogor Regency, cases of violence against children have experienced an increasing trend to date, with the majority of cases coming in as cases of physical violence against children. This Regional Regulation also contains main points such as;

- Violence Prevention: This zoning regulation requires local governments to make efforts to prevent violence against women and children, including through the provision of outreach, education and counseling services
- Victim Services: This regional regulation regulates services for victims of violence against women and children, including health, psychosocial, legal and rehabilitation services
- Dealing with Perpetrators: This state regulation specifically regulates how to deal with perpetrators of violence against women and children, including counseling, rehabilitation and criminal prosecution
- Institution: This Regional Regulation establishes an organization to protect women and children from acts of violence: Integrated Team for the Protection of Women and Children (TP-PPA)
- Financing: This state regulation regulates financing for the protection of women and children from acts of violence
- Sanctions: This regional regulation regulates sanctions for criminal and administrative violations

Discussion

The Regional Regulation on the Protection of Women and Children advances efforts to protect women and children from acts of violence in Bogor Regency. This regional regulation contains comprehensive provisions and regulates various aspects related to the protection of women and children. However, there are several things that need to be considered in implementing this Regional Regulation, including:

- Socialization and education: Socialization and education regarding this regional regulation must be carried out on a large scale to the community, especially women and children. This is important so that children know their rights and how to get protection if violence occurs
- Service provision: Local governments must provide appropriate services to victims of violence against women and children. These services must be easily accessible and affordable for victims
- Prosecution: Prosecution of perpetrators of violence against women and children must be consistent and consistent. This is important to create a deterrent effect for perpetrators and prevent incidents of violence in the future.

Based on the theory given by Edwin Sutherland who believes that deviations are produced by different associations and are learned through the process of cultural experts⁴. The driving factor or cause of violence or violations against children and women can occur from the household. Domestic violence is basically a form of behavior that causes physical or emotional pain to people in the household, usually carried out by someone who is in a relationship. Family with the victim This is also marked by increasing incidents of violence against children and women, both in the public and private sectors The trend in cases of domestic violence has reached an alarming stage Domestic migration incidents are currently attracting public attention and the number of incidents continues to increase Therefore, efforts are needed to provide legal protection for victims of domestic violence, including violence against children and women. Domestic violence includes violence committed by a partner or other family member and includes :

- Physical violence such as hitting, twisting arms, choking, burning, kicking, and threats with sharp objects.
- Sexual violence is like forced sex.
- Psychological violence, including acts aimed at intimidation and abuse, as well as forms of intimidation in the form of neglect and torture in home confinement
- Economic violence, including: refusal to provide pocket money , control access to work, etc.

Violence can not only occur in the home environment in society. Violence that occurs in society includes rape, sexual harassment, intimidation, trafficking in women, and forced prostitution in workplaces, educational institutions, and other places, while violence carried out by the state can take the form of physical and sexual violence or psychological violence. Wherever it occurs, it is at the heart of institutions and institutions.

Several theories about the causes of violence against women and children have led to the classification of violence into two categories, personal factors and social factors. Personal

⁴ Uning Pratimarti J, Akreabilitas Bagi Penyandang Cacat Mental dan Fisik Sebagai Perwujudan Perlindungan HAM ; Repika Aditama, 2005, hlm, 253.

factors are closely related to a person's violent tendencies and actions, while social factors include environmental conditions and what drives a person to commit violence. The personal factor of psychological attitude which is the main motivation for committing acts of violence can be considered the inability to control emotions. Violence is also used to express emotions such as anger, frustration and sadness when emotions are difficult to control. Violence is understood as normal behavior because what drives someone to commit violence also stems from living in an environment where violence often occurs. Sociocultural factors, namely social conditions that can encourage violence, reflect the existence of social or economic disparities between groups in a society in the context of violence against women and children. Many studies have found a relationship between gender inequality and levels of violence against women and children. Examples include society's permissive attitude towards violence against women, relationships with people who degrade women, slums and overcrowded areas, and exposure to violence.

It is not uncommon for the community itself to be reluctant to report cases of violence, the lack of information regarding reporting facilities and mechanisms is also one of the factors and they do not have the courage to reveal cases because they are worried that their name will be tarnished or they will receive threats from perpetrators of violent acts. However, the courage to speak out from victims and the community is very important to provide a deterrent effect on the perpetrators. Efforts that can be made to prevent or reduce cases of violence against women and children are, having the courage to report acts of violence experienced to the authorities, maximizing the role of schools in efforts to prevent and handle violence against children, involving the role of religious institutions in efforts to prevent and handle acts of violence , providing counseling or outreach regarding preventing and handling acts of violence to the community. It is hoped that the Bogor Regency Government will optimally control and supervise the protection of women and children from acts of violence in order to create harmony in life for women and children who are still often considered weak creatures by individuals who commit violence, through good cooperation through government involvement, private sector and society to work together to fulfill the rights of women and children, Dissemination of information to build community participation in realizing the protection of women and children from acts of violence, Firm and serious supervision for all to enforce this rule because the implementation and realization of this regional regulation is still ongoing. It is considered less effective and some people don't even know this regulation exists.

Therefore, every child who is able to carry out his responsibilities in the future must be given the maximum opportunity to grow and develop optimally both physically, spiritually and socially, as well as to maintain his welfare and achieve his goals. Ensure the existence of children by providing guarantees for the implementation of their rights and non-discriminatory treatment⁵.

⁵ M Nasir Djamil, *Anak Bukan Untuk Dihukum*, Sinar Garfika, Jakarta, 2013, hlm, 8.

Violence against women and children is a serious problem for the Indonesian government. Efforts to eradicate violence against women cannot be carried out after the government, but rather in the form of partnerships and cooperation between government elements, related ministries, regional governments, including city governments and private institutions, as well as along the corridor of separation of powers. local communities in the form of formal education between central and regional.

Violence against children is a silent crisis in Indonesian society, and we must all unite to protect our children – parents, community leaders, teachers and the government – just as we protect all children our biological child

4. Conclusion

Based on the results of research and analysis conducted by researchers on Bogor Regency Regional Regulation Number 5 of 2015 concerning the Protection of Women and Children from Acts of Violence, in an effort to handle the prevention of acts of violence against women and children, conclusions can be obtained including in Chapter II in article 4 concerning The aim of protecting women and children from acts of violence. This Regional Regulation is an important legal instrument to protect women and children from acts of violence. Sustained Bogor Regency Government efforts are needed to ensure that this regional regulation is implemented effectively in preventing cases of criminal acts of violence against women and children consisting of handling cases violence against women and children. However, the Bogor Regency Government's specific prevention efforts regarding violence itself still encounter obstacles, including research showing that the causes of violence against women in Bogor Regency are low legal awareness, poverty, early marriage including economic reasons and infidelity.

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