



Analysis Of Article 13 Of Bogor District Regional Regulation Number 5 Of 2015 Concerning Protection Of Women And Children From Acts Of Violence

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ABSTRAK

Kekerasan terhadap perempuan dan anak merupakan masalah serius yang mempengaruhi kualitas hidup para korban dan mengancam hak asasi mereka. Artikel ini akan fokus menganalisis implementasi Pasal 13 huruf b. Penelitian ini menggunakan pendekatan kualitatif dengan metode deskriptif-analitis. Pengumpulan data dilakukan melalui studi dokumen berupa Analisis Peraturan Daerah dan publikasi terkait. Pengumpulan data yang kedua melalui observasi yaitu konfirmasi dari korban pelecehan di SMPN 1 Cigombong.

Penelitian ini menemukan bahwa implementasi Peraturan ini, khususnya Pasal 13 tentang hak-hak korban, masih belum berjalan maksimal. Temuan utama menunjukkan bahwa masih banyak kasus kekerasan terhadap perempuan dan anak di Kabupaten Bogor yang belum mendapatkan pemulihan kesehatan dan psikologis yang memadai. Misalnya kasus di SMPN 1 Cigombong, dimana seorang guru melakukan tindakan kekerasan seksual terhadap seorang siswi, menunjukkan bahwa meskipun ada upaya pemulihan, layanan tidak berkelanjutan, dan trauma yang dialami korban tidak tertangani dengan baik.

ABSTRACT

Violence against women and children is a serious problem that affects the quality of life of victims and threatens their human rights. This article will focus on analyzing the implementation of Article 13 letter b. This research uses a qualitative approach with descriptive-analytical methods. Data collection was carried out through document studies in the form of Analysis of Regional Regulations and related publications. The second data collection was through observation, namely confirmation from victims of harassment at SMPN 1 Cigombong.

This research found that the implementation of this

Regulation, especially Article 13 concerning victims' rights, is still not running optimally. The main findings show that there are still many cases of violence against women and children in Bogor Regency who have not received adequate health and psychological recovery. For example, the case at SMPN 1 Cigombong, where a teacher committed an act of sexual violence against a female student, shows that despite recovery efforts, services are not sustainable, and the trauma experienced by the victim is not handled properly.



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1. Introduction

Violence against women and children is a serious problem that affects the quality of life of victims and threatens their human rights. In Bogor Regency, the Regional Government has issued Regional Regulation Number 5 of 2015 as a concrete step to address this issue. In Bogor Regency Regional Regulation Number 5 of 2015, in one of the articles, namely, Article 13 in this Regional Regulation specifically regulates the rights of women and children as victims of violence, which includes the right to have their honor and dignity respected, the right to health and psychological recovery, as well as other rights.¹

However, the reality on the ground shows that the implementation of these rights has not run optimally. There are still many cases of violence against women and children that do not receive inadequate or even inadequate health and psychological recovery. One example is the case at SMPN 1 Cigombong, where a religious teacher with the initials EP committed an act of sexual violence against a female student.² This can show that even though the victim received recovery services for his health and psychology, this could not traumatize the victim. disappeared immediately and what I know based on the victim's statement is that the service is not sustainable, so that psychological recovery such as post-traumatic stress disorder (PTSD) for the victim I don't think is handled well.³

In Bogor Regency Regional Regulation Number 5 of 2015 concerning the Protection of Women and Children from Acts of Violence consisting of 40 Articles, Stipulated in Cibinong on March 2 2015.

The preamble states:

Considering: a. that in order to guarantee and protect the rights of women and children so that they can participate optimally in accordance with human dignity and dignity, as well as receive protection from violence, it is necessary to make efforts to protect women and children;

¹ Sejarah Bogor bagian 1. Bogor: Panitia Penyusun dan Penerbitan Sejarah Bogor. Dr. Munadi, MA. 2017;

² <https://radarbogor.jawapos.com/bogor/2474585845/kpad-desak-oknum-guru-smpn-1-cigombong-terduga-pelaku-asusila-diproses-hukum?page=1>

³ <https://poskota.co.id/2024/02/26/guru-agama-di-smpn-1-cigombong-bogor-diduga-cabuli-muridnya-kpad-harus-diproses-hukum>

- b. that in order for efforts to protect women and children to obtain optimal results, there needs to be real action from the Regional Government and it is necessary to increase the participation of the community at large;
- c. that based on the considerations as intended in letters a and b, it is necessary to form a Regional Regulation concerning the Protection of Women and Children from Acts of.

2. Methods

This research uses a qualitative approach, which is a scientific method often used and implemented by researchers in the field of social sciences, including law. Various reasons are put forward to support the use of qualitative methods, with the emphasis that qualitative research can enrich research results. Qualitative research is carried out to build knowledge through understanding and discovery. The qualitative research approach is a research and understanding process based on methods that investigate social phenomena and human problems.⁴ This approach involves a process of research and understanding that is based on methods that investigate social phenomena and human problems. In this research, the researcher attempted to create a complex picture, analyze words, collect reports from respondents and conduct studies on the situations experienced.⁵

Because this research is a type of qualitative research, there is no clear time limit for this research until the researcher obtains a truly in-depth understanding of the object under study. However, due to various considerations and limitations of time, costs and energy, this research can be ended and a report made, if it is deemed that the data and data analysis have been achieved according to the design. Qualitative research where the researcher's role is as a key instrument in collecting data and interpreting data. Data collection tools usually use direct observation, interviews, document studies. While the validity and reliability of data uses triangulation using inductive methods, the results of qualitative research emphasize meaning rather than generalization.

Qualitative research is used when problems are not yet clear, to uncover hidden meanings, understand social interactions, develop theories, to ensure data validation and research historical developments.⁶ Considering that the aim of this research is to understand and interpret various phenomena that occur in reality in accordance with the characteristics of qualitative research, this research also focuses on understanding the implementation of Bogor Regency Regional Regulation Number 5 of 2015 concerning the Protection of Women and Children from Acts of Violence which will be focused on in Article 13 letters b.

3. Results and Discussion

In analyzing Bogor Regency Regional Regulation Number 5 of 2015 concerning Protection of Women and Children from Acts of Violence. Referring to Chapter IV Article 13

⁴ atton, M. Q. (2015). *Qualitative Research & Evaluation Methods: Integrating Theory and Practice*. Thousand Oaks, CA: SAGE Publications.

⁵ Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (4th ed.). Thousand Oaks, CA: SAGE Publications.

⁶ Bryman, A. (2016). *Social Research Methods* (5th ed.). Oxford: Oxford University Press.

concerning victims' rights, it states that the Regional Government in terms of the rights of women and children who are victims of acts of violence have the following rights:⁷

- a. the right to respect for one's dignity and worth as a human being;
- b. the right to health and psychological recovery from the suffering experienced by victims;
- c. the right to make their own decisions;
- d. the right to obtain information;
- e. right to confidentiality;
- f. compensation rights;
- g. the right to social rehabilitation;
- h. the right to complaint handling;
- i. the right to assistance;
- j. And the right of victims and their families to obtain convenience in the judicial process.

This study focuses on article 13 letter b, namely: the right to health and psychological recovery from the suffering experienced by the victim. According to Article 1 in Bogor Regency Regional Regulation Number 5 of 2015 concerning General Provisions in Number 10, it is stated that violence is any act against the law, with or without the use of physical and psychological means that poses a danger to life, body or results in the deprivation of a person's freedom.

According to Article 1 in Bogor Regency Regional Regulation Number 5 of 2015 concerning General Provisions in Number 11, it is stated that violence against women is any action based on gender differences that results in or may result in physical, sexual or psychological suffering or suffering for women, including threats of certain actions. , coercion or arbitrary deprivation of liberty, whether occurring in the public sphere or in private life.

According to Article 1 in Bogor Regency Regional Regulation Number 5 of 2015 concerning General Provisions in Number 12, it is stated that violence against children is any act against a child which results in physical, mental, sexual, psychological misery or suffering including neglect and ill-treatment which threatens their integrity. body and demeans the child's dignity.

According to Article 1 in Bogor Regency Regional Regulation Number 5 of 2015 concerning General Provisions in Number 20, it is stated that victims are women and children who experience misery and/or suffering, either directly or indirectly, as a result of violence that occurs in the Bogor Regency area.

However, in reality, in the field, not all cases of violence against women and children receive recovery, both health and psychological. Indeed, there are several cases that have been handled directly by Health Services, but can this eliminate post-traumatic stress

⁷ <https://peraturan.bpk.go.id/Details/265366/perda-kab-bogor-no-5-tahun-2015>

disorder (PTSD) in the victims? Because according to one of the cases of violence against children in Bogor Regency which occurred at SMPN 1 Cigombong, one of the religious teachers with the initials EM had committed an act of sexual violence against one of his female students, the victim did receive health services, but the victim only received health services.⁸ When the case first went up on social media, when the case started to die down, health services also went out, what about the victim's PTSD? Do victims get their rights to health and psychological recovery from the suffering experienced by the victim? I think this needs to be questioned.⁹

There is a lack of priority and commitment given by the regional government regarding the health and psychological recovery of victims of violence. This article may not be given sufficient attention in budget planning and allocation, so that its implementation is hampered. The article may only be a statement of rights without being supported by a concrete action plan outlining the steps that must be taken to ensure the health and psychological recovery of the victim. Without a clear and measurable action plan, implementation can be hampered by uncertainty and confusion in the actions to be taken.

This article may not be supported by adequate monitoring and law enforcement mechanisms. Without effective oversight of the implementation of these articles, and without strict sanctions for violations, local governments may not feel compelled to implement them efficiently. Because in the case at SMPN 1 Cigombong, I think inadequate supervision and law enforcement is one of the things that prevents the victim from getting the right to health and psychological recovery from the suffering experienced by the victim.

4. Conclusion

My recommendation, there are several things that can be done, namely First, to improve health and psychological recovery for victims of violence against women and children in Bogor Regency, the first step that needs to be taken is to improve the available health and psychological facilities. Local governments should allocate more resources to expand the network of mental health centers and train more mental health workers.¹⁰ This step must be supported by strong regulations that regulate mental health service standards, as regulated in Law Number 36 of 2009 concerning Health.

Furthermore, it is important to increase public awareness and understanding of the importance of health and psychological recovery for victims of violence. Public education and awareness campaigns need to be increased, by involving NGOs and educational institutions to organize outreach and training programs in the community. Regulations governing the protection of children from violence, as stated in Law Number 23 of 2002 concerning Child Protection, also need to be better enforced.¹¹

Then, to ensure victims' access to health and psychological facilities, transportation infrastructure and transportation services must be improved. Local governments must

⁸ <https://www.tribunnews.com/regional/2024/02/23/oknum-guru-cabul-smp-negeri-1-cigombong-kabupaten-bogor-dinonaktifkan-pihak-sekolah>

⁹ Bisson, J. I., & Andrew, M. (2007). Psychological treatment of post-traumatic stress disorder (PTSD). *Cochrane Database of Systematic Reviews*, (3).

¹⁰ National Commission on Violence Against Women. (2019). *Annual Report on Violence Against Women*. Jakarta: Komnas Perempuan.

¹¹ Law Number 23 of 2002 concerning Child Protection. (2002). Republic of Indonesia.

prioritize the development of more affordable and integrated transportation infrastructure, especially in remote areas. Regulations related to transportation infrastructure, as regulated in Law Number 38 of 2004¹² concerning Roads and Law Number 22 of 2009 concerning Road Traffic and Transportation, must be implemented effectively.¹³

In addition, improving coordination between government agencies, NGOs and non-governmental organizations is essential. Regional governments must strengthen existing coordination mechanisms and form joint teams consisting of various parties to plan, implement and monitor recovery programs. Regulations related to the implementation of social protection, as stated in Government Regulation Number 9 of 2012, can be the basis for forming this joint team.¹⁴

Finally, consistency and increased availability of trained professionals are also important to provide effective recovery services. Local governments must provide training and support to health workers and psychological counselors to improve their abilities in dealing with trauma and violence must be strictly adhered to and implemented to ensure that the services provided meet established standards. Thus, it is hoped that these efforts can significantly increase the health and psychological recovery for victims of violence against women and children in Bogor.¹⁵

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¹² Law Number 38 of 2004 concerning Roads. (2004). Republic of Indonesia.

¹³ Law Number 36 of 2009 concerning Health. (2009). Republic of Indonesia.

¹⁴ Government Regulation Number 9 of 2012 concerning Implementation of Social Protection. (2012). Republic of Indonesia.

¹⁵ Bogor Regency Social Services. (2021). *Report on Social Rehabilitation Services for Victims of Violence*. Bogor: Bogor Regency Social Services.

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