

The Role of the Police in Efforts to Prevent and Overcome Child Sexual Violence in Bangkalan Regency (Study on Bangkalan Police)

Nico Agus Wijaya ¹, Nur Azizah Hidayat ²

¹ Fakultas Hukum Universitas Muhammadiyah Surabaya, Indonesia

² Fakultas Hukum Universitas Muhammadiyah Surabaya, Indonesia

ABSTRACT

Sexual crimes do not only happen to adults, often the victims are minors. The prevalence of this crime in the community is evidenced by data obtained by researchers at the Bangkalan Resort Police (Bangkalan Police), which shows an increase every year. This study aims to determine the role of the Bangkalan Police. Child Sexual Violence This research is a non-doctrinal legal research with a legal sociology approach. The results of this study indicate that the Bangkalan Police have provided education to the public about the dangers of sexual violence against children and their prevention measures, as a preventive measure. In addition, the curative efforts carried out by the Bangkalan Police are to process perpetrators of sexual violence against minors seriously so that can be proven and prosecuted the maximum sentence. General Review

Article History;
Received
January 10, 2022

Revised
April 30, 2022

Accepted
June 01, 2022

Keywords: The Role of The Police; Sexual Violence; Child

INTRODUCTION

Sexual violence against children is a serious problem that has continued to increase in recent years throughout Indonesia. Sexual violence against children often occurs between a child and his biological parents, step parents, adults such as strangers or acquaintances of children who are above the age of the child, where the child becomes the object of the abuser's lust. Perpetrators usually use various means such as coercion, threats, bribes, pressure or deceiving children for their own sexual gratification. These acts of sexual violence usually take the form of rape or sexual abuse.¹ Sexual violence against children is known as child sexual abuse. Cases of sexual violence against children are often not reported by families to the police because they are afraid that their disgrace will be heard by the community. In the

¹ Putri, Mela Elfida. 2017. *Konseling Krisis Dengan Pendekatan Konseling Realitas Untuk Menurunkan Kecemasan Anak Korban Kekerasan Seksual*. Diakses dari <http://Ibks.Abkin.Org>.

end, many families chose to remain silent or keep it a secret. In fact, many families do not

even know that their children are victims of sexual violence because they are threatened by the perpetrators. Previous research by Wulandari and Marilang in Gowa Regency through the Gowa Police on sexual violence in children was caused by several factors such as education, low economy, lack of knowledge of religion, environment, and promiscuity. Another result is that the child experiences prolonged trauma.² Meanwhile, another study by Tampubolon on sexual violence against children in DIY Province found that sexual violence often occurs when parents or teachers in schools are negligent or lack supervision of children so that children become objects of abuse by perpetrators around the environment.³ The importance of supervising children is the key to early prevention of sexual violence. Meanwhile, in Saputra's research on the law enforcement process of sexual violence against children in Buleleng Regency, the results were that the perpetrators received harsh punishments according to applicable law.⁴ In these three previous studies, the three Polres convinced the public to report any suspicious movements when children experienced strange things. In addition, providing education to every citizen to prevent sexual abuse or rape of children.

Sexual violence against children is very influential on the growth and development of children. Other impacts cause children to experience depression, phobias, nightmares, suspicion of others which eventually leads to trust issues, and withdraws from the social environment. Not a few children who choose to commit suicide to get rid of the mental illness they are experiencing.⁵ Most victims of sexual violence against children are around 5-11 years old. For the perpetrator as long as he can satisfy his desire he does not look at the gender of the child. When approaching the victim, the perpetrator usually uses a way to approach the victim, invite chat, seduce and force the victim. The development of social networking technology is now the most sophisticated mode today in getting to know victims, inviting them to meet and being raped repeatedly with threats that they will be uploaded to social media if they resist.⁶

The direct mode or through social media also occurs in the Bangkalan Regency area which is handled directly by the Bangkalan Police. Judging from the available data in 2018, the number of cases of sexual violence against children

² Ayu Wulandari, Rezky. 2021. "Peran Kepolisian Dalam Upaya Mencegah Dan Menanggulangi Kekerasan Seksual Terhadap Anak Di Kab.Gowa (Studi Pada Polres Gowa)." *Alauddin Law Development Journal (ALDEV) | Volume*. Vol. 3.

³ Tampubolon, Junita. 2014. Peran Polisi Dalam Menaggulangi Tindak Kekerasan Seksual Terhadap Anak Di Daerah Istimewa Yogyakarta. *Skripsi*. Yogyakarta: Universitas Atma Jaya Yogyakarta.

⁴ Saputra, Kadek Dandi. 2021. Peran Kepolisian Resor Buleleng Dalam Upaya Penanggulangan Dan Penanganan Tindak Pidana Kekerasan Seksual Terhadap Anak. *Rediksa Repository*. October 18, 2021. Diakses dari <https://Repo.Undiksha.Ac.Id/8527/>.

⁵ Anshor, Maria Ulfa. 2014. Menghentikan Kekerasan Dan Diskriminasi Terhadap Anak Dan Kelompok Minoritas Dalam Kehidupan Berbangsa Dan Bernegara. In *Makalah*, 14-15. Jakarta: Konferensi Infid Redemokratisasi Ekonomi, Sosial, Dan Politik Untuk Pembangunan Nasional.

⁶ Rizky, Mutiara Nastya, Risma Intan Fitriani, Muhammad Wahyu Sudibyoy, Fatma Ayu Husnasari, And Firmansyah Maulana. 2019. Perlindungan Hukum Terhadap Anak Korban Eksploitasi Seksual Komersial Melalui Media Sosial. *Media Iuris* 2 (2): 197. Diakses dari <https://Doi.Org/10.20473/Mi.V2i2.13193>.

amounted to 9 cases. In 2019, the number of cases increased to 16 cases. It will increase again in 2020, as many as 20 cases. Meanwhile, in 2021 the number of cases reported to the Bangkalan Police is 15 cases. For the year 2022 alone until May amounted to 5 cases. The number of cases does not mean that there is a decrease in sexual violence against children. Most victims or their families choose to keep this a secret rather than reporting the case to the Bangkalan Police. This also often happens in other police areas.

Based on the above description of perpetrators of sexual violence against children, the Unitary State of the Republic of Indonesia took preventive measures and made regulations/rules against perpetrators of sexual violence against children. One of the government's efforts in eradicating criminal acts of sexual violence against children is for example in Law Number 23 of 2002 concerning Child Protection that is:

Article 81 Paragraph (1)

Anyone who intentionally commits violence or threats of violence forcing a child to have sexual intercourse with him or with another person, shall be sentenced to a maximum of 15 (fifteen) years in prison and a minimum of 3 (three) years and a maximum fine of Rp. 300,000,000 (Three Hundred). Million Rupiah) and at least Rp. 60,000,000 (Sixty Million Rupiah).

Article 81 Paragraph (2)

The criminal provisions as referred to in paragraph 1 also apply to anyone who intentionally has intercourse with him or with another person.

Sexual violence has disrupted the sense of comfort, security and public order and has traumatized the victim both psychologically and psychologically. Therefore, perpetrators of sexual violence against children should be sentenced to a maximum/severe sentence, as regulated in Perpu No.1/2016 Law no. 17 of 2016 (Article 82 and Article 84), namely:

Article 82

In the event that the criminal act as referred to in paragraph (1) is committed by parents, guardians, people who have family relationships, child caretakers, or is committed by more than one person together, the penalty is added to 1/3 of the criminal threat as follows: referred to in paragraph (1).

Article 84

In the event that the crime as referred to in Article 76 E causes more than 1 victim, causes serious injury, mental disorder, infectious disease, is disturbed or lost reproductive function and the drug dies, the penalty is added to 1/3 of the criminal threat as referred to in paragraph (1).4

The role of the police is very important to uncover cases of sexual violence against children, especially in the investigator section in order to improve their abilities. So that later cases of violence against children can be found that are not reported or reveal the real motives of the perpetrators. Therefore, the researcher

draws the formulation of the problem in this study, namely how preventive and curative actions are taken by the Bangkalan Police in dealing with cases of sexual violence against children.

METHODS

The research in this journal is a non-doctrinal legal research with a sociology of law approach. Sociology of law is a sub-discipline of sociology that studies behavior patterns in society. Sociology of law examines why some people obey the law while others break the rules. As a branch of sociology, legal sociology can be seen as a tool of legal science in examining its object for the implementation of the legal process.⁷ The sociology of law approach is used to solve the problem formulation of how the Bangkalan Police's efforts in preventing and overcoming sexual violence against children in Bangkalan Regency. The primary data source used to analyze the problem formulation is the result of interviews with respondents. The key informants used as respondents were members of the Women and Children Protection unit (PPA) of the Bangkalan Police, as well as local community leaders. The secondary data source used to analyze the problem formulation was data obtained from the Bangkalan Police PPA unit.

Sources of data obtained in this study will be processed using the triangulation method. The triangulation method is defined as a technique that combines various data collection techniques and existing data sources. Researchers do triangulation of course there is a certain purpose to be done. In addition to researchers collecting data to be used in research, they also test the credibility of data through various data collection techniques and various data sources.⁸

The use of the triangulation method is to track the dissimilarity between the data obtained from one informant and other informants. Therefore, we need a technique that can unify the differences in data so that accurate and precise conclusions can be drawn, namely triangulation of data sources.⁹ Triangulation of data sources is exploring the truth of certain information by using various data sources such as documents, archives, interviews, observations or also by interviewing more than one subject who is considered to have different points of view. Of course, each of these methods will produce different evidence or data, which in turn will provide different insights about the phenomenon under study.¹⁰

Data analysis using the triangulation method begins with prioritizing the data that is most relevant to the purpose of triangulation. The data are in the form of interviews with respondents and archival data or documents on the number of cases of sexual violence that occur every year in Bangkalan Regency. Then the researcher

⁷ Sosiologis.com. 2013. Sosiologi Hukum: Definisi Dan Objek Kajiannya. *Website*. November 13, 2013. Diakses dari <https://Sosiologis.Com/Sosiologi-Hukum>.

⁸ Sugiyono. 2011. *Metode Penelitian Kuantitatif Kualitatif Dan R&D*. Bandung: Alfabeta.

⁹ Pradistya, Reyvan Maulid. 2021. Teknik Triangulasi Dalam Pengolahan Data Kualitatif. *Website*. February 10, 2021. Diakses dari <https://Dqlab.Id/Teknik-Triangulasi-Dalam-Pengolahan-Data-Kualitatif>.

¹⁰ *Ibid*

must find the same pattern in the data and make a hypothesis from the analyzed data. Finally, re-check the data and draw final conclusions.¹¹

DISCUSSION AND RESULT

The Role of the Bangkalan Police in Efforts to Prevent and Overcome Sexual Violence Against Children

Definition of Sexual Violence Against Children

Children according to Law Number 35 of 2014 in Article 1 paragraph 1 states that a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb. Meanwhile, sexual violence is any act of degrading, humiliating, harassing, and/or attacking a person's body, and/or reproductive function, due to unequal power relations and/or gender, which results in or can result in psychological and/or physical suffering including those that interfere with reproductive health. someone and lost the opportunity to carry out higher education safely and optimally.¹² Therefore, it can be concluded that sexual violence against children is a dishonorable act which physically and psychologically attacks children aged 18 years and under which causes psychological injuries and injuries to the genitals.

Factors Inhibiting Police In Handling Cases of Sexual Violence Against Children

In preventing and overcoming sexual violence, the police often encounter obstacles, especially in uncovering the existence of cases of sexual violence against children. Many of these cases are not reported by families, especially parents because they do not know that their children are victims. Children who are victims usually receive threats from the perpetrators in the form of spreading disgrace through photos or videos. This causes the child to be silent and finally choose to keep it hidden. On the other hand, some children dared to report to their parents but they chose to remain magesilent for fear that the family's disgrace would spread and the family's honor would be dad.

The rapid development of technology such as social media has become a new obstacle to prevent sexual crimes against children. The current trend teaches children to accept promiscuity and wear minimal clothing. Moreover, many children show their curves to be exhibited on social media by reason of following the latest trends. In addition, children also pose like teenagers who are growing up and seduce the audience. As a result, children are monitored by perpetrators and a source of satisfying desires.

This is also revealed from several cases, the child's social media and environment which is also one where the child can be tricked by all the tricks and usually the perpetrators are also from among children who are still underage who are done by their friends so that it is easy to serve what they want. requested from

¹¹ Minlab 2. 2020. Apa Itu Triangulasi? Ini Pengertian Dan Manfaatnya Untuk Penelitian Kualitatif!. *Website*. 2020. Diakses dari https://Bitlabs.Id/Blog/Triangulasi-Adalah/#3_Triangulasi_Metode.

¹² Portal Hukum Dan Peraturan Indonesia. 2021. Kekerasan Seksual. *Website*. August 21, 2021. Diakses dari <https://Paralegal.Id/Pengertian/Kekerasan-Seksual/>.

perpetrators, both from text conversations, pictures, videos and telephone conversations, coupled with many parents who let their children use communication tools. Lack of early education from parents is also the most important point in preventing sexual violence against children. Many parents are indifferent both in supervising children outside the home environment and when children use social media.

Finally, the police also have other obstacles, including the lack of information about perpetrators of sexual violence because usually the information provided by the relatives of the perpetrator and the victim is very different. People also still feel strange about words of sexual violence or those related to sex, this is something that is still firmly held by the community so that efforts to reveal cases of sexual crimes against children are indeed difficult to detect.

All of the above obstacles also occur at the Bangkalan Police. Although it is difficult to carry out prevention and supervision, the PPA Unit is currently still trying to prevent and overcome sexual violence by collaborating with several government institutions and non-government institutions. Another task is to provide education to the community to always monitor the growth and development of children through seminars or events.

The Role of the Bangkalan Police in Efforts to Prevent and Overcome Cases of Sexual Violence Against Children

Children are always victims of any crime, including sexual violence such as rape or sexual abuse. Differences in strength and body mass as well as intelligence make it difficult for children to fight when events occur and end up surrendering to the perpetrator's actions. In addition, the perpetrator's threats to the victim made the children more afraid and ended up covering up cases of sexual violence. Even so, there are still many victims who report this to their parents and it ends with the arrest of the perpetrators by the police, one of which is at the Bangkalan Police

The results of the researcher's interview with the Head of the Women and Children Service Unit (PPA) at the Bangkalan Police, the researchers obtained data related to the causes of sexual violence against children, which are as follows:

- 1) Lack of parental supervision when children come home from school or play outside the home can make children the target of perpetrators.
- 2) The busyness of working parents can cause a lack of attention and affection for children. So that children are easier to yield to people who give attention, seduction and even sweet promises of perpetrators.
- 3) Parents do not educate their children not to accept invitations from strangers. So that the child does not fortify himself when approached by the perpetrator.
- 4) Children's associations that are not controlled by parents can also cause children to become victims of sexual violence from those around them. This happens because children do not wear closed clothes and tend to dress that shows their curves both in real and virtual environments such as social media. In addition, from promiscuity, children learn to smoke,

hang out with the opposite sex in boarding houses and even hotels, say dirty words, and so on. As a result, the child becomes a person who is easily eaten by the perpetrator's slanderous seduction.

- 5) The low knowledge of children's religion makes children dress that stimulates the lust of the opposite sex. This often happens in today's girls who dress openly revealing the thighs and breasts. That is why there are more cases of sexual violence against girls than boys.
- 6) Other factors such as the perpetrator comes from an unknown person or does not live around the victim, and so on.

According to PPA Bangkalan Police, sexual violence against children has a very serious impact on children's growth and development. When the sexual violence incident took place, most of the perpetrators forced the victim by means of physical beatings or gripping the limbs so as not to fight back. In addition, it provides psychological wounds that cause helplessness, resignation and stress which will later cause trauma and feelings of depression. If this is not addressed immediately by the child will give birth to anti-social behavior and self-isolation. In other words, sexual violence against children provides a prolonged trauma and is difficult for children to forget. Noted for Bangkalan Regency cases of sexual violence against children can be seen in the following table:

Table 1. Number of Sexual Violence Cases Against Children 2018-2022 in Kab. Bangkalan

Cases	2018	2019	2020	2021	2022
Sexual Violence Cases Against Children 5-11 years old	9 cases	16 cases	20 cases	15 cases	5 cases

From the data above, it can be concluded that sexual violence against children is something that deserves attention because it has increased every year. Even though in 2022 there are only 5 cases now, I am still concerned. The case recorded at the Bangkalan Police is a case reported from the victim's family and the surrounding community. In fact, there are still a lot of people who are not reported to the Bangkalan Police because the victims or their families cover up their disgrace. The police must make every effort to investigate and uncover other crimes of sexual violence against children. That is the real role of the police in this case.

The efforts made by the police in Bangkalan Regency in dealing with cases of sexual violence through preventive measures are socialization and outreach throughout the community and schools in Bangkalan Regency by involving several government institutions as an effort to prevent sexual violence which is carried out at the turn of the new school year. The police also conduct training and seminars related to the crime of sexual violence, regular training and seminars are held once a year. As well as cooperating with the Bangkalan District Education Office and several other institutions aimed at preventing the occurrence of criminal acts of sexual violence. Special procedures for the prevention and eradication of sexual

violence against children in accordance with Law Number 11 of 2012 concerning the Juvenile Justice System.

In addition to preventing and overcoming sexual violence against children, the role of the police is also to enforce the law against perpetrators. This is a curative action by the Bangkalan Police to follow up on perpetrators of cases of sexual violence against children so that they can be severely or maximally punished in accordance with applicable law in the Unitary State of the Republic of Indonesia (NKRI). So that in the future it doesn't happen again and there are no more children who become victims.

CONCLUSION

In an effort to prevent and overcome the occurrence of sexual violence against children, the police must be more assertive in providing a deterrent effect on perpetrators and be closer to the community to provide further understanding so that the public understands that the impact of sexual violence against children is quite large. Actions taken by the police are preventive actions and curative actions. To overcome obstacles in the field the police must work hard with the community. That way cases of sexual violence against children can be reduced.

REFERENCES

- Anshor, Maria Ulfa. 2014. Menghentikan Kekerasan Dan Diskriminasi Terhadap Anak Dan Kelompok Minoritas Dalam Kehidupan Berbangsa Dan Bernegara. In *Makalah*, 14-15. Jakarta: Konferensi Infid Redemokratisasi Ekonomi, Sosial, Dan Politik Untuk Pembangunan Nasional.
- Ayu Wulandari, Rezky. 2021. "Peran Kepolisian Dalam Upaya Mencegah Dan Menanggulangi Kekerasan Seksual Terhadap Anak Di Kab.Gowa (Studi Pada Polres Gowa)." *Alauddin Law Development Journal (ALDEV) | Volume*. Vol. 3.
- Minlab 2. 2020. Apa Itu Triangulasi? Ini Pengertian Dan Manfaatnya Untuk Penelitian Kualitatif!. *Website*. 2020. Diakses dari https://Bitlabs.Id/Blog/Triangulasi-Adalah/#3_Triangulasi_Metode.
- Pemerintah Pusat. 2002. Undang-Undang (Uu) Tentang Perlindungan Anak. *Website*. October 22, 2002. Diakses dari <https://Peraturan.Bpk.Go.Id/Home/Details/44473/Uu-No-23-Tahun-2002>.
- Pemerintah Pusat. 2014. Undang-Undang (Uu) Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak. *Website*. October 17, 2014. Diakses dari <https://Peraturan.Bpk.Go.Id/Home/Details/38723/Uu-No-35-Tahun-2014>.
- Portal Hukum Dan Peraturan Indonesia. 2021. Kekerasan Seksual. *Website*. August 21, 2021. Diakses dari <https://Paralegal.Id/Pengertian/Kekerasan-Seksual/>.
- Pradistya, Reyvan Maulid. 2021. Teknik Triangulasi Dalam Pengolahan Data Kualitatif. *Website*. February 10, 2021. Diakses dari <https://Dqlab.Id/Teknik-Triangulasi-Dalam-Pengolahan-Data-Kualitatif>.
- Putri, Mela Elfida. 2017. Konseling Krisis Dengan Pendekatan Konseling Realitas Untuk Menurunkan Kecemasan Anak Korban Kekerasan Seksual. Diakses dari <http://Ibks.Abkin.Org>.

- Rizky, Mutiara Nastya, Risma Intan Fitriani, Muhammad Wahyu Sudibyo, Fatma Ayu Husnasari, And Firmansyah Maulana. 2019. Perlindungan Hukum Terhadap Anak Korban Eksploitasi Seksual Komersial Melalui Media Sosial. *Media Iuris* 2 (2): 197. Diakses dari <https://Doi.Org/10.20473/Mi.V2i2.13193>.
- Saputra, Kadek Dandi. 2021. Peran Kepolisian Resor Buleleng Dalam Upaya Penanggulangan Dan Penanganan Tindak Pidana Kekerasan Seksual Terhadap Anak. *Rediksa Repository*. October 18, 2021. Diakses dari <https://Repo.Undiksha.Ac.Id/8527/>.
- Sosilogis.com. 2013. Sosiologi Hukum: Definisi Dan Objek Kajiannya. *Website*. November 13, 2013. Diakses dari <https://Sosilogis.Com/Sosiologi-Hukum>.
- Sugiyono. 2011. *Metode Penelitian Kuantitatif Kualitatif Dan R&D*. Bandung: Alfabeta.
- Tampubolon, Junita. 2014. Peran Polisi Dalam Menaggulangi Tindak Kekerasan Seksual Terhadap Anak Di Daerah Istimewa Yogyakarta. *Skripsi*. Yogyakarta: Universitas Atma Jaya Yogyakarta.