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Legal Children Protection as Victim of Psychological Violence in Surakarta

Adinda Rizky Oktaviary^{1*}, Marisa Kurnianingsih², Andi Intan Purnamasari³

^{1,2}Universitas Muhammadiyah Surakarta, Indonesia

³Universitas Kebangsaan Malaysia, Malaysia

* Correspondence email: c100200108@student.ums.ac.id

Abstract: This study aims to reveal how Surakarta government faces legal protection. Also, constraints in providing fulfillment of the rights of child victims of psychological violence committed in the family environment. This study uses an empirical juridical method interview and examine the legal provisions that apply in society. It focuses on violence against children committed by their parents, which has an impact on the child's psychology with valid data sourced from the authorities. Although violence against children is a violation of human rights, without realizing it, there are still many people who are willing to commit acts of psychological violence against children. It is because the child is unlikely to rebel when they receive improper treatment from adults, including within the scope of their own family, even though this treatment will have an impact on the child's psychology in the future. The results revealed that illustrate the psychological violence is only considered an internal family problem, and not many people realize it as an act of violence. Surakarta government has actually made efforts to prevent and reduce the number of violence against children, such as by providing an understanding of the importance of giving good parenting, being more able to control emotions, and being sensitive to the conditions and needs of children. This study concludes that the Surakarta government, through DP3AP2KB, has made various efforts to deal with cases of violence that can have an impact on children's psychology. However, these efforts are not fully supported by the public due to the lack of understanding and awareness of the dangers of violence against children, so the number of child abuse in Surakarta has not been a significant change.

Keywords: Violence; Victim; Legal Protection; Psychological

Abstrak: Penelitian ini bertujuan untuk mengetahui bentuk perlindungan hukum yang diberikan serta tantangan bagi pemerintah kota Surakarta untuk memenuhi hak anak korban kekerasan psikologis yang terjadi di dalam lingkungan keluarga. Metode yang digunakan dalam penelitian ini adalah metode yuridis empiris, yang mana dalam melakukan penelitiannya penulis turun langsung ke lapangan untuk mendapatkan data berupa wawancara serta melakukan kajian terhadap hukum yang berlaku di masyarakat. Penelitian lebih fokus pada kekerasan terhadap anak yang dilakukan oleh orang tua yang kemudian berdampak pada psikologis anak tersebut dengan dilengkapi data valid yang bersumber dari pihak yang berwenang. Meskipun kekerasan terhadap anak termasuk pelanggaran hak asasi manusia, namun tanpa disadari masih banyak masyarakat yang justru tega untuk melakukan tindak kekerasan terhadap anak karena dirasa seorang anak tidak akan berontak ketika memperoleh perlakuan yang tidak berasal dari orang dewasa, termasuk dalam lingkup

keluarganya sendiri padahal perlakuan tersebut akan berdampak pada psikologis anak kedepannya. Hasil yang telah didapat dalam penelitian ini menggambarkan bagaimana kekerasan psikis yang diterima oleh anak dianggap hanya sebuah permasalahan internal dalam suatu keluarga, sehingga masyarakat sekitar tidak mudah menyadari telah terjadinya tindak kekerasan. Meskipun demikian, pihak pemerintah Kota Surakarta telah melakukan upaya untuk mencegah serta menekan angka kekerasan kepada anak baik secara preventif maupun represif, seperti dengan memberikan pemahaman mengenai pola asuh anak yang baik, cara mengontrol emosi serta peka terhadap keadaan dan kondisi yang dibutuhkan oleh anak. Kesimpulan dalam penelitian ini yaitu pemerintah kota Surakarta melalui DP3AP2KB telah melakukan upaya untuk menangani kasus kekerasan yang dapat berdampak pada psikologis anak. Namun upaya tersebut tidak didukung penuh oleh masyarakat karena kurangnya pemahaman serta kesadaran masyarakat mengenai bahaya kekerasan kepada anak sehingga angka kekerasan anak di Surakarta belum terlihat perubahan yang signifikan.

Kata kunci : Kekerasan; Korban; Perlindungan Hukum; Psikologis

INTRODUCTION

A child is the greatest gift from Allah SWT given to humans. The presence of children is a mandate to parents to protect, educate, and care for them because children are attached to dignity as a whole human being. That way, a child has certain rights, such as adequate education from both parents. Thus, quality education needs to be given to children as early as possible because good education and family quality are the main foundations in building a child's identity and character. Quality of education means that it will provide an impetus to the order of social values and norms that create a safe, comfortable, and peaceful life.¹ Relating to this matter, the community is also obliged to provide a sense of security for children when they are away from their parents.

Parent has such a role in monitoring children's growth and development because, considering that children will become the next generation, parents must always pay attention to the child's condition because every parent wants their child to be able to limit themselves from changes in mindset and bad behavior. This is designed to protect the child's rights and prevent the entry of harmful external factors that may interfere with the child's developmental journey.² It is known that this problem regarding children is complicated because a child still needs guidance to create good attitude. If a parent makes a mistake in parenting, it impacts the child's life, such as becoming a offender of violence. Also, a severe problem is the child becomes a victim of violence, which is caused by the inability of a child to resist violence, so the children tend to be silent without fighting back.³

¹ Dian Herdiana, 'Kekerasan Seksual Di Lembaga Pendidikan Dalam Perspektif Kebijakan Publik', *Equalita: Jurnal Studi Gender Dan Anak* 5, no. 1 (2023): 102, <https://doi.org/10.24235/equalita.v5i1.13556>.

² Anis Muhammad, 'Perlindungan Hukum Anak Terhadap Kekerasan Seksual Di Kota Makassar', *El-Iqthisady: Jurnal Hukum Ekonomi Syariah*, (2019): 37–44.

³ Adinda Oktavia Nugraheni, 'Dampak Kekerasan Dalam Rumah Tangga Terhadap Dinamika Psikologis Anak Usia Dini', *JAMPARING: Jurnal Akuntansi Manajemen Pariwisata Dan Pembelajaran Konseling* 1, no. 1 (2023): 1–4. DOI: <https://doi.org/10.57235/jamparing.v1i1.950>.

Furthermore, the Environment known first by the children is a family. Thus in the family, a child gets a good education from both parents, which they hope can be used as a provision for him to grow up. However, parents often do not realize that what happens between them affects their children. It is often said that children are a reflection of what happens in a house.⁴ According to Miller, a family is present as a place to take care of children and provide a sense of security to children. However, the wrong improper parenting results in violence occurring in the home.⁵ Thus, it is still possible that family environments should be a conducive environment instead of violence against children. Worse, this is done by individuals responsible for such acts having a significant influence on children's growth and development, namely their biological fathers and mothers. The cause of violence in the family environment is due to economic problems or internal conditions of parents who find it difficult to control their emotions and vent to their children. That way, it is still necessary to understand the parents about the nature of children who are vulnerable to trauma so that it is hoped that parents can always provide good examples and roles⁶ to create a healthy environment for and avoid acts of violence.

According to World Health Organization (WHO), Violence is all wrongful acts against children, whether physical, emotional, or sexual, neglect and exploitation of children that cause children's health conditions to become dangerous and can affect children's development or threaten children's self-esteem.⁷ The threat of low self-esteem that children receive has a risk on children's self-adjustment in their social life so that feelings of difficulty accepting themselves as victims of violence will be attached to their lives.⁸ The occurrence of violence is often identified with competition between strong and weak parties, which then results in physical, psychological, and financial losses for many people. Article 1 number 15, letter a of the Child Protection Law explains that violence is any act against children that results in the infliction of pain or suffering psychological, sexual, and neglect violence, including threats to commit acts, coercion, or deprivation of freedom against the Law. Furthermore, psychological violence is explained in Article 7 of Law Number 23 of 2004 on the Elimination of Domestic Violence, which states that psychological violence is an act that results in fear, loss of self-confidence, loss of ability to act, helplessness, and severe psychological suffering in a person. Unlike physical violence, which leaves scars that show indications of violence, in psychological violence, the wounds left are more related to the

⁴ Abdul Kadir and Anik Handyaningsih, 'Kekerasan Anak Dalam Keluarga', *WACANA* 12, no. 2 (2020): 133–45. DOI: <https://doi.org/10.13057/wacana.v12i2.172>.

⁵ Alit Kurniasari, 'Dampak Kekerasan Pada Kepribadian Anak', *Sosio Informa* 5, no 1 (2019): 15-24. DOI: <https://doi.org/10.33007/inf.v5i1.1594>.

⁶ Mutia Syawalistiani Putri, Kristiana Maryani, and Atin Fatimah, 'Peran Pusat Pelayanan Terpadu Pemberdayaan Perempuan Dan Anak (P2TP2A) Terhadap Kasus Kekerasan Anak Usia Dini', *Jurnal Ilmiah Potensia* 8, no. 2 (2023): 361–70. DOI: <https://doi.org/10.33369/jip.8.2.361-370>.

⁷ Meri Neherta, Lili Fajria, and Arif Rohman Mansur, "'Gunung Es" Kekerasan Pada Anak Di Dalam Keluarga', *Penerbit Adab*, 2023, 11.

⁸ Rohayanti Pellupsi, Roza Elmanika Putri, and Rilla Sovitriana, 'Penerapan Terapi Realitas Untuk Meningkatkan Penerimaan Diri Orang Tua Korban Kekerasan Seksual Di PPPAPPKB Fakfak', *IKRA-JTH HUMANIORA: Jurnal Sosial Dan Humaniora* 7, no. 3 (2023): 166–73. DOI: <https://doi.org/10.37817/ikraith-humaniora.v7i3.3371>.

soul, meaning that not everyone can see them.⁹

The problem of violence against children is a significant case in various countries, especially violence that affects children at an early age. With four forms of violence that tend to occur to children: physical, psychological, sexual, and social.¹⁰ Psychological violence has much influence on decreasing one's self-esteem, harsh words, damaging trust with others, being humiliated in public or front of others, threats, and so on.¹¹ Physically, the children may not be hurt. However, psychologically, the children will feel hurt.¹² Victims have difficulty when asked to prove the existence of violence, especially in terms of psychological violence, because the definition of psychological violence itself is still not perfect.¹³ Therefore, this mental injury is more in need of special handling and attention by experts because these acts will affect his social behavior, such as children becoming easily anxious, closed, shy, or even against their parents or the emergence of other health problems.¹⁴ The emergence of these adverse effects then makes the issue of violence against children a global problem where this act of violence can occur anywhere, anytime and can be committed by anyone. Therefore, victims of violence, especially children, must receive protection in the form of legal assistance or medical services from experts. The purpose of this protection is to repair what the child has received with rehabilitation so that the child gets welfare for the violence that has occurred.¹⁵

The significance of legal protection for victims of violence transcends national boundaries and has grown into a global concern that demands serious consideration. The Child Protection Law explains that Child protection encompasses all endeavors to guarantee and preserve children's rights, enabling them to live, thrive, evolve, and engage optimally while upholding their inherent human dignity and shielding them from violence and discrimination. It is the state's commitment to protecting child victims of violence

⁹ Nadya Tamara Dewaanjani and Sudarsana, 'Peran Yayasan "Samin" Dalam Pencegahan Dan Penanganan Kekerasan Anak Dalam Keluarga (Kasus Peran Yayasan "Samin" Dalam Pencegahan Dan Penanganan Kekerasan Anak Dalam Keluarga Di Kabupaten Sleman, DIY)', *Journal of Development and Social Change* 3, no 1 (2019): 3-10. DOI: <https://doi.org/10.20961/jodasc.v3i1.41673>.

¹⁰ Yessy Nur Endah Sary, 'Fenomena Kekerasan Psikologis Pada Anak Usia Dini Dalam Keluarga', *Jurnal Obsesi: Jurnal Pendidikan Anak Usia Dini* 7, no. 1 (2023): 76–84. DOI: <https://doi.org/10.31004/obsesi.v7i1.3736>.

¹¹ Marisa Kurnianingsih, Absori Absori, and Johan Cahya KS, 'Kekerasan Belenggu Psikis Pada Perempuan Dan Anak Di Kabupaten Grobogan', *Kajian Walisongo (Walrev)* 3, no. 1 (2021): 45-61. DOI: <https://doi.org/10.21580/walrev.2021.3.1.8438>.

¹² Suteja J and Ulum B, 'Dampak Kekerasan Orang Tua Terhadap Kondisi Psikologis Anak Dalam Keluarga', *Equalita: Jurnal Studi Gender Dan Anak* 1, no. 2 (2019): 169–85. DOI: <http://dx.doi.org/10.24235/equalita.v1i2.5548>.

¹³ Damara Wibowo, 'PERLINDUNGAN HUKUM TERHADAP KORBAN KEKERASAN DALAM RUMAH TANGGA MENURUT HAK ASASI MANUSIA SELAMA PROSES PENYIDIKAN', *JURNAL USM LAW REVIEW* 4, no. 2 (2021): 818-827. DOI: <https://doi.org/10.26623/julr.v4i2.4187>.

¹⁴ Temy Andreas Habibie and Qurotul Uyun, 'Model Intervensi Islam Dalam Penanganan Gejala Gangguan Stress Pasca Trauma Pada Orang Tua Yang Memiliki Anak Sebagai Korban Kekerasan Seksual', *Journal of Islamic and Contemporary Psychology (JICOP)* 3, no. 1s (2023): 221–30. DOI: <https://doi.org/10.25299/jicop.v3i1s.12363>.

¹⁵ Ikhsan Ikhsan et al., 'UPAYA PERLINDUNGAN ANAK DALAM PERADILAN PIDANA DI ERA PEMBERLAKUAN "NEW NORMAL" SELAMA PANDEMI COVID-19 DI INDONESIA', *Jurnal Ilmu Hukum* 9, no. 2 (2020): 225-242. DOI: <https://doi.org/10.30652/jih.v9i2.7933>.

accompanied by public awareness, especially parents, not to underestimate the problems regarding children and as a guarantee of child welfare and children's human rights and is a definite thing provided by the Law that emphasizes equality. A child needs protection in his life because children cannot live and fight for themselves.¹⁶

Several previous studies discuss psychological violence against children. A study by Wardatul entitled "*Perlindungan Hukum Bagi Anak Sebagai Korban Kekerasan Fisik Yang Berdampak Psikis Terhadap Keberlangsungan Pendidikan Formal Anak*" shows The type of legal safety appropriate for child victims of violence, especially those who experience psychological impacts that affect their uninterrupted progress in formal education, in the form of legal and non-legal approaches by involving many parties. In this legal approach, an act of violence against children is included as a serious offence so that the offenders of violence are subject to imprisonment and fines. In the non-legal field, rehabilitation will be provided to victims of violence, involving efforts from the government and guilty parties. In addition, the education environment also required a counselling teacher in the hope that the child's psychology is maintained and victims of violence can be quickly treated.¹⁷

The study conducted by Kasmanita entitled "*Perlindungan Hukum Terhadap Korban Kekerasan Dalam Rumah Tangga*" explains that not all violence that occurs in the house can be handled entirely because the victim covers it up on the grounds of cultural structure ties and religion. The study, which has normative characteristics and focuses on wives as victims of domestic violence, states that the government has made efforts to eradicate domestic violence with the enactment of Law Number 23 of 2004 on the Elimination of Domestic Violence. Then, the legislation and the study also mentioned the role of justice enforcers such as the police, advocates, and judicial institutions needed to assist victims in getting their rights according to applicable regulations. In addition, the study also mentioned the role of Islamic law in preventing domestic violence in the form of defensive and educative methods.¹⁸

Hence, the current study is different from the previous study because it focuses on a child who experienced psychological abuse that occurs in the family environment in Surakarta with the subject of the offender's parent and the constraints faced by the local government in providing legal protection. This study is supported by credible information from interviews with relevant authorities, including the Office of Women's Empowerment and Child Protection, Population and Family Control (DP3AP2KB), and the family learning

¹⁶ Anggelia Anggelia and Ani Purwanti, 'Kebijakan Perlindungan Anak Terhadap Eksploitasi Seksual Melalui Nikah Siri Dalam Perspektif Hukum Nasional Di Indonesia', *Jurnal Jurisprudence* 10, no. 1 (2020): 109–26. DOI: <https://doi.org/10.23917/jurisprudence.v10i1.10974>.

¹⁷ Wardatul Muchlisoh, 'PERLINDUNGAN HUKUM BAGI ANAK SEBAGAI KORBAN KEKERASAN FISIK YANG BERDAMPAK PSIKIS TERHADAP KEBERLANGSUNGAN PENDIDIKAN FORMAL ANAK', *Legal Spirit* 4, no. 1 (2020): 1-15. DOI: <https://doi.org/10.31328/lv.v4i1.1550>.

¹⁸ Kasmanita Kasmanita, 'PERLINDUNGAN HUKUM TERHADAP KORBAN KEKERASAN DALAM RUMAH TANGGA', *Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah Dan Hukum* 6, no. 2 (2019): 49, <https://doi.org/10.24252/jurisprudentie.v6i2.10302>.

center, *Pusat Pembelajaran Keluarga* (PUSPAGA). The strength of this study is that it contains up-to-date information that has been updated to suit the conditions of the community in Surakarta. The existence of DP3AP2KB and non-governmental organizations in the field of child protection is expected to protect child victims of violence, including psychological violence, in Surakarta.

METHOD

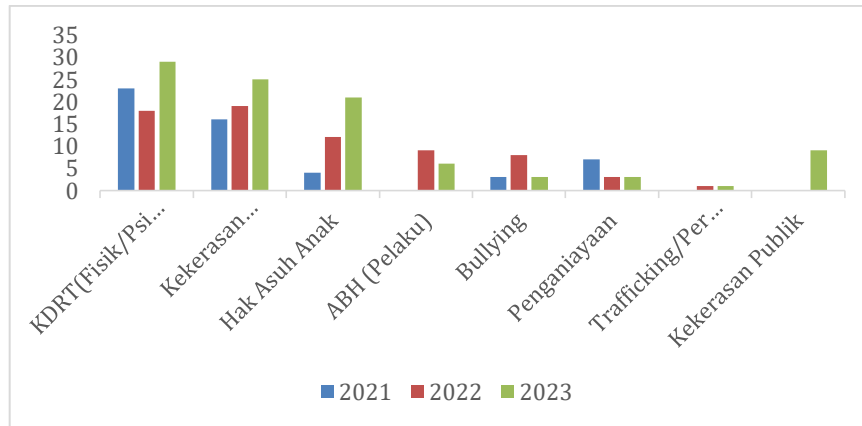
This study used an empirical juridical method in which the author observed and examined the legal provisions that apply in society and read the legal requirements that apply and occur in people's lives. The object of this study is the Office of Women's Empowerment and Child Protection as well as Population Control and Family Planning (DP3AP2KB) of Surakarta by using observation techniques and interviews with related parties, which are used as primary data regarding the legal protection of child victims of psychological violence in Surakarta along with the constraintss that arise and collecting other legal materials that can be used as secondary data.

DISCUSSION

A. Legal Protection of Children of Psychological Violence in Surakarta

This study took samples from the Technical Implementation Unit of the Surakarta Women and Child Protection Office, which is then used as the basis of the study. Related parties also said that cases of violence against children are like a trend in society because there are so many children who should get a sense of security in socializing but instead get mistreatment that their parents unfortunately did. It illustrated in the graphic below:

Table 1. Data on the Handling of Violence Cases in Surakarta, 2021-2023



Source: UPTD PPA

The data above proves that the child who received legal protection for being the victim of psychological violence in Surakarta has not shown promising results, and when viewed from the data, cases of children who experienced psychological violence that happened in the family environment are the most common cases compared to other cases. It shows that the prevention of domestic violence by using legal instruments in the form of laws and all law enforcement tools enforcing the law has not been optimal for suppressing domestic violence.¹⁹

In the family environment, the child wants attention from his parents but cannot be fulfilled because his parents are busy with their activities at work, which can lead to uncontrollable emotions so that violence occurs, which can disturb the child's mentality and the way children behave in society which has a significant impact on the child's future.²⁰

Table 2. Data on Cases of Violence Against Women and Children by Subdistrict

No.	Kecamatan	Perempuan	Anak	Jumlah
1.	Banjarsari	6	28	39
2.	Jebres	11	15	21
3.	Pasar Kliwon	5	15	20
4.	Serengan	12	14	24
5.	Laweyan	7	12	21
	Jumlah	41	84	125

Source: UPTD PPA

Based on an interview conducted with Mr. Krista Novareza Adi Perdana, S.H. as the

¹⁹ Fonni Acita et al., 'Pencegahan Kekerasan Dalam Rumah Tangga Berbasis Penegakan Hukum Dan Falsafah Budaya Jawa Mbangun Kromo Di Kulon Progo', *JUSTISI* 10, no. 1 (2024): 225–41, <https://doi.org/10.33506/js.v10i1.2879>.

²⁰ Sara Angelica Br Simanjorang and Tamaulina Br Sembiring, 'Penerapan Perlindungan Hukum Terhadap Anak Sebagai Korban Kekerasan Psikis Dalam Rumah Tangga', *Journal of International Multidisciplinary Research* 2, no. 2 (2024): 106–16. DOI: <https://doi.org/10.62504/jaa29057>.

counselor of UPTD PPA Surakarta, it was stated that until 2023 from several subdistricts in Surakarta, Jebres, and Banjarsari subdistricts need particular attention because of the data recorded that the two subdistricts have the most significant incidents of violence targeting women and children. Then, the government organized socialization events and implemented monitoring initiatives in the region. There are aspirations to reduce incidents of violence. He also explained that the form of violence committed can undoubtedly have an impact on the child's psychology, which leads to inadequate growth and development. Therefore, parents should provide love and good treatment to their children so their mental and physical health can be well maintained.²¹

To ensure the realization of children's rights, the government extended particular protection to underage who are victims of violence, which is regulated in Article 59 of Law No. 35 of 2014 on Child Protection which is given to one of them, including child victims of physical and psychological violence and children in conflict with the Law. Based on Article 1, Number 15 of the Child Protection Law, special protection is a form of protection children receive in certain situations and conditions to guarantee security against threats that risk themselves and their lives during their growth and development.

Jenewa Declaration of the Rights of The Child (The Jenewa Declaration of the Rights of the Child) is the first international document that makes "men and women of all nations" accept the obligation which demands that "children must be given the facilities necessary for normal development, both materially and spiritually".²² To ensure the guarantee of child protection, adjustments are made to the unique needs of children, emphasizing their growth and development, especially for those who have been victimized. Given the vulnerability of children, they exhibit heightened sensitivity when dealing with law enforcement authorities. The Surakarta government, particularly the Office of Women's Empowerment and Child Protection, has undertaken diverse initiatives to prevent all types of violence against children, encompassing psychological harm. These endeavors aim to enhance family quality and establish a secure environment for children, thereby fulfilling their rights. The success of these efforts relies on collaboration with external entities and active community participation. Therefore, the government cooperates with relevant institutions to safeguard and ensure the well-being of children, addressing their physical and psychological needs, especially those who have experienced violence.

The government issues in dealing with problems of children are giving evidence to the community that many institutions in Surakarta are taking part in protecting children. The purpose of those institutions is none other than to prevent violence against children in Surakarta. The government of Surakarta certainly has an agency called *Dinas Pemberdayaan*

²¹ Marisa Kurnianingsih et al., 'Keluarga Ramah Anak: Penanggulangan Kekerasan Terhadap Anak Di Surakarta', *In Prosiding Seminar Nasional Program Doktor Ilmu Hukum*, 2023, 26–43.

²² Gilang Arizona, Maydika Ramadani, and Waluyo Bambang, 'Legal Views in Indonesia on Children with Problems with the Law', *International Journal of Social Science and Human Research* 06, no. 05 (2023), <https://doi.org/10.47191/ijsshr/v6-i5-16>.

Perempuan dan Perlindungan Anak, the office of women's empowerment and child protection, as well as population control and family planning, which oversees the Regional Technical Implementation Unit for the Protection of Women and Children, and also PUSPAGA which conducts psychoeducation and serves people who want to consult about family problems. PUSPAGA was created to provide understanding to the community about parenting and protecting children from violence committed within the family. In addition, Surakarta has a non-governmental organization that is also engaged in child protection called *Yayasan Kepedulian Untuk Anak* (KAKAK Foundation), which focuses on handling sexual violence and child exploitation. Therefore, to create legal protection and reduce the number of children who become a victim of psychological abuse, the Surakarta government, together with non-governmental organizations engaged in child protection, are making various efforts aimed at the public.

a. Preventive Efforts for Legal Protection of Child Victims of Psychological Violence

In an interview with Ms. Andriani, S.Sos., M.Si as a Young Expert Policy Analyst for the Fulfillment of Children's Rights and Particular Protection of Children from the Child Protection Division, explained that in protecting victims of violence, there are two ways called repressive and preventive. Preventive ways the Surakarta government conducts psychoeducation activities based on the number of cases in an area, which aims to reduce the risk and is considered to be a preventive factor for violence, especially against children. A helpful opportunity given to parents is to work with an expert in the field of children who then, on that occasion, provides education and understanding to parents about parenting and child psychology who still need children's rights and needs. The implementation of psychoeducational activities is related to acts of psychological violence experienced by children, so with this activity, parents are expected to gain knowledge and understanding so that they can prevent mental disorders by victims of psychological violence.

The government of Surakarta is taking preventive measures to reduce violence against children. In addition to providing psychoeducation, the government organized school socialization efforts targeting students and teachers. Teachers who act as parents in the school environment will create a safe and nurturing atmosphere. They also conduct socialization activities in villages and sub-districts, involving community members. These activities aim to raise awareness of the issue of child abuse and ultimately reduce the rate of child abuse. To help with this effort, the Surakarta government works with non-governmental organizations, children's forums, and experts. These socialization activities are conducted annually and have specific targets the government sets each year. This initiative reflects the government's commitment to protecting children and preventing violence in Surakarta.

In an interview, it was revealed that a significant factor in child abuse is a lack of

parental awareness of their children. Many children unable to convey their feelings and choose to hide their pain. It poses a challenge as even psychologists find it difficult to approach child victims of violence. However, the Surakarta government is taking steps to address this issue through peer education training. This training is designed for children with difficulty expressing themselves and aims to increase their awareness of their environment and peers. The goal is for these children to feel more comfortable confiding in their peers, and they can report incidents to the authorities if necessary. These efforts aim to create a support network among children, ensuring that they are not alone in facing abuse and asking for help when needed.

b. Repressive Efforts for Legal Protection of Child Victims of Psychological Violence

To take the preventive efforts previously described, Surakarta government also made repressive efforts, which is an effort to protect child victims of violence. In theory, repressive efforts in this case also relate to Law Number 35 of 2014 on Child Protection. In Article 76A of the Law, it is clear that there is a prohibition for everyone who treats children in a discriminatory manner that results in children suffering material and moral losses, as well as treating disabled children in a discriminated. Furthermore, Article 77 of the Child Protection Law also explains the sanctions for anyone who violates the provisions of Article 76A with a maximum imprisonment of five years and a maximum fine of Rp. 100,000,000,- (one hundred million rupiah).

In an interview with Mrs. Andriani, S.Sos., M.Si explained that the government offers trauma healing services facilitated by psychologists for victims of violence, including children, aiming to encourage them to open up about their experiences. Trauma healing is a healing method for psychological disorders experienced by a person due to the weak resilience of mental functions.²³ It can be happened because usually the victims of psychological abuse are reluctant to disclose and are afraid to meet new people, mainly because psychological violence requires more special handling because the form of violence is not visible.

Services for trauma healing are extended to child victims of violence, addressing a variety of children's rights groups within civil rights, family interactions, reserve care, fundamental health, welfare, education, leisure engagement, cultural arts participation, and entitlement to special protection. Therefore, this service is considered necessary as part of the recovery process for child victims of violence.

The government of Surakarta also has a "Rumah Aman" program regarding trauma healing. This program is a form of legal protection in the form of creating a temporary residence for victims of violence, including children, who are, of course, accompanied by experts to facilitate and accelerate the healing period of victims. Thus, to achieve this goal, rules apply where this safe house must be strictly guarded,

²³ Citra Widyastuti, Lailatul Widha, and Arina Rijki Aulia, 'PLAY THERAPY SEBAGAI BENTUK PENANGANAN KONSELING TRAUMA HEALING PADA ANAK USIA DINI', *Hisbah: Jurnal Bimbingan Konseling Dan Dakwah Islam* 16, no. 1 (2019): 100–111. DOI: <https://doi.org/10.14421/hisbah.2019.161-08>.

and not just anyone is allowed to enter to continue providing security to the victims. In line with Article 28 G paragraph (1) of the 1945 Constitution of the Republic of Indonesia, which reads, "*Setiap orang berhak atas perlindungan diri pribadi, keluarga, kehormatan, martabat, dan harta benda yang di bawah kekuasaannya, serta berhak atas rasa aman dan perlindungan dari ancaman ketakutan untuk berbuat atau tidak berbuat sesuatu yang merupakan hak asasi*" ["Everyone has the right to protection of self, family, honour, dignity, and property under their control, and is entitled to security and protection from threats of fear to do or not do something that is a human right"].

Furthermore, the interview was conducted with Mr Krista Novareza Adi Perdana, S.H. as the counsellor of UPTD PPA Surakarta, who said that his party appealed to people who experienced violence, especially in this case a child, to report to local parties or child protection institutions where the reporting could be done by the victim himself, family or other people. The report will undoubtedly be immediately processed based on the rules, such as psychologist assistance, while still paying attention to the victim's condition. However, if the victim's condition is already worrying, they will be immediately referred to the Surakarta Regional Mental Hospital for more serious examination and treatment. He also added that with this reporting, it will be easier to handle the victim because the victim's closest person does the reporting.

Therefore, it can be said that the government of Surakarta in handling child abuse is entirely proper because they use various efforts to prevent child abuse. However, it cannot be denied that until this year, the case that shows violence against children is still relatively large. In 2023, UPTD PPA addressed 78 instances of violence against children. It comprised 25 cases of domestic violence, encompassing physical, psychological, sexual, and neglect-based abuse; 25 cases of sexual violence occurring outside the family context; 21 cases related to childcare; 9 cases of violence in public settings; 3 instances of persecution; 3 cases of bullying, and 1 case of child trafficking. The data also highlights the emergence of new cases of public violence in 2023, suggesting a substantial number of child victims were affected.

B. Constraints in The Children Legal Protection of Psychological Violence in Surakarta

a. Internal Government Constraints

Besides many child protection institutions have been established, it does not rule out the possibility of the government experiencing constraintss in its implementation. The Government of Surakarta, especially in this case the Regional Integrated Service Unit for the Protection of Women and Children itself, also has constraintss in providing legal protection to children as victims of violence. It was spoken directly by Mr Krista Novareza Adi Perdana, S.H., as the counsellor of the UPTD for the Protection of Women and Children, and for now, the constraints faced is the limited

human resources. It means the Women and Child Protection Unit still needs more officers to handle existing cases because it adapts to local government regulations that cannot recruit just anyone and require those who are competent in their fields, namely regarding legal protection and a person's psychological state.

It does not stop here. The government also has other constraints in handling and providing legal protection to victims, namely in the form of the attitude of the victim's family, who in this case also acts as the offender is reluctant to be examined because they consider that the problem is only an internal family problem and not an act of violence. So, the offenders do not realize their act and get a deterrent effect.

The constraints faced by the Women and Child Protection Unit are related to the violation of children's rights because the rights of children are clearly stated in articles of Law such as Article 13 Paragraph 1 of the Child Protection Law, which explains that every child under in the care of responsible parents or guardians, is entitled to protection from all crimes, namely savagery, violence, and abuse. In addition, the rights of victims are also explained in the Law on the Elimination of Domestic Violence Article 10 letter a, which reads, "*Korban berhak mendapatkan perlindungan dari pihak keluarga, kepolisian, kejaksaan, pengadilan, advokat, lembaga sosial, atau pihak lainnya baik sementara waktu maupun berdasarkan penetapan perlindungan dari pengadilan*" ["Victims are entitled to protection from family, police, prosecutors, courts, advocates, social institutions or other parties either temporarily or based on the determination of a protection order from the court"].

Thus, to continue to fulfil the rights of children who are victims of violence, the Women and Child Protection Unit, through Mr Krista Novareza Adi Perdana, S.H., gets around this by approaching other families. For instance, if the victim's father committed the violence, the examination will be carried out on the mother or vice versa. In addition, there are other cases where both parents commit the offenders of violence, so they will approach and examine their siblings who are still related to the offenders and victims. It is related to the regulations regarding the recruitment of officers who must be in their fields because if not, it is feared that it will have a more significant negative impact on the psychological condition of children because in handling cases of violence against children, especially psychological violence, more specialized handling by experts is needed.

Regarding the above constraints, when viewed from the concept of law, law enforcement depends on people's legal awareness. It is also determined by each individual's perspective on "law."²⁴ By the implementation of legal awareness in society, the law does not need to impose sanctions.²⁵ One could argue that society

²⁴ Mariatul Kiptiah, 'Sosialisasi Kesadaran Hukum Lingkungan Pada Masyarakat Pinggiran Sungai Di Kabupaten Barito Kuala', *Bubungan Tinggi: Jurnal Pengabdian Masyarakat* 3, no. 1 (2021), <https://doi.org/10.20527/btjpm.v3i1.1801>.

²⁵ Widoyo Heru, 'Menumbuhkan Kesadaran Hukum Di Masyarakat', *Diakses Dari <https://Binus.Ac.Id/Character-Building/2023/02/Menumbuhkan-Kesadaran-Hukum-Di-Masyarakat/>* (2024, 16 Mei), n.d.

fails to understand the psychological dangers that occur in its midst, with many mistakenly seeing this form of mental abuse as nonviolent.

However, this is not a significant constraint for the Surakarta government because in dealing with cases of child abuse, the government collaborates with specialized institutions in the field of child protection. When the government encounters constraints, it will undoubtedly discuss them with the relevant institutions to resolve them according to applicable regulations, and supervision will still be carried out.

b. External Government Constraints

Besides the constraints from the government, there are also constraints from the community, both offenders and victims. It has an impact on not handling cases of child abuse properly. The constraint is the existence of bureaucracy, so the Women and Child Protection Unit must refrain from intervening with other institutions handling a case. When interviewed, Mr Krista illustrated this: when there is a complaint about child abuse to his office, the Women and Child Protection Unit will examine further examination by related parties (police and courts). At this stage of further examination, the role of the Women and Children's Protection Unit is only as a companion so that the timeframe for resolving and deciding cases is the full right of the relevant parties.

The existence of constraints, as described above, then raises the assumption that when an act of violence occurs to a child and then reports or makes a complaint, it will cost a lot of time, energy, and money. It cannot be denied that examining child victims of violence, especially psychological violence, does require a reasonably long time. However, the time to examine a case cannot be a standard for other cases because all of this is done to provide fair and appropriate results and decisions so that the victim, in this case a child, still gets their rights.

With the assumption of the public regarding the length of time, it is not uncommon for the community to allow acts of violence to occur against children. It violates the rules because it is clearly stated in Article 16 of the Law on the Elimination of Domestic Violence that the police are required to provide temporary protection to victims within 1x24 hours of receiving reports of violence.

This assumption then leads to a significant cost to resolve cases of child abuse. It is miserable both for the government and institutions in the field of child protection because then, of course, the public prefers to ignore cases like this, especially if the case is about psychological violence with child victims, which is a case that requires extra handling such as psychologists who will require more expensive costs. It was dismissed by Mr Krista, a counsellor at the UPTD PPA Surakarta, who said that all complaints of child abuse, as long as they are based on truth and honesty, will be free. This means they will receive free legal assistance if the public makes a complaint without any elements of lies accompanied by valid evidence, such as a certificate of

incapacity. Basically, in cases of child abuse, there is protection for victims in the form of rapid physical, psychological, and social treatment; psychosocial assistance; social assistance for children from inadequate families; and the provision of protection and assistance in every judicial process, as stated in article 59A of the Child Protection Law.

CONCLUSION

To sum up, the matter on the issue of violence directed at children and particular protection requires the government to tighten the policies to fulfill the rights of children by applicable laws and regulations. Thus, DP3AP2KB, with the institutions, continues to strive for the protection of child victims of violence so that they can be handled by providing psychoeducation to parents, socialization in schools or the broader community by presenting Non-Government Organizations, Children's Forums and Experts, Peer Education Training; Trauma Healing services and safe house program. However, the provision of legal protection does not always move smoothly. It is because the government has several constraints in the form of a lack of human resources.

After all, according to government regulations, child protection must also be handled by competent officers in law and child psychology. The Women and Child Protection Unit cannot recruit just anyone because in handling cases of child abuse. Many of the victims who are also offenders are reluctant to be examined. Then, it is only an internal problem, not an act of violence. Constraints can also come from victims who choose not to report cases of child abuse because they think it will be spent much money. When there is a complaint accompanied by concrete evidence, the handling process will be free. Especially in this case, the victim is a child.

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