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Special Protection for Children Victims of Psychological Violence at the Community Empowerment, Women and Child Protection Service of Jambi City.

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Abstract: This study aims to determine the special protection arrangements for child victims of psychological violence in the Community Empowerment, Women and Child Protection Service of Jambi City and to determine the form of legal protection for child victims of psychological violence. The formulation of the problem in the study is How are the special protection arrangements for child victims of psychological violence in the Community Empowerment, Women and Child Protection Service of Jambi City? And What are the forms of legal protection for child victims of psychological violence in Jambi City? The research method used is a juridical-empirical approach with data collection techniques through literature studies and in-depth interviews. The results of the study indicate that the special protection arrangements for child victims of psychological violence are in accordance with Law Number 35 of 2014 concerning Child Protection, which is strengthened by regional policies. However, the implementation of this legal protection still faces several obstacles, such as lack of human resources, limited budget, and low public awareness to report cases of psychological violence. Therefore, efforts are needed to increase the capacity of related institutions, cross-sector cooperation, and more intensive public education.

Keyword: Legal protection; psychological violence; children.

INTRODUCTION

Special protection for children who are victims of psychological violence is a very important issue to discuss, considering the formulation in Article 1 paragraph (2) of Law Number 35 of 2014, which states that all activities aim to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination. Suharto stated that internal and external factors are the causes of violence against children, and children have reasons why these unlawful acts can occur. According to Sitohang, the causes of violence against children are:

1. Stress comes from children, namely, stress experienced by children can be caused by certain conditions, such as physical or mental differences, or when children are adopted, which can affect their mental well-being.
2. Family stress, namely, stress in the family can arise due to factors such as poverty, unemployment, high social mobility, social isolation, inadequate housing, or the presence of unwanted children in the family, as well as various other situations that add to the family's burden.
3. Stress originating from parents caused by parents can come from the parents' bad childhood experiences, such as feeling inferior, being treated wrongly, or experiencing depression. In addition, unrealistic expectations of children or the presence of character disorders or mental disorders in parents can also be a source of stress in the family.

Given the various reasons why acts of violence against children often occur, the Child Protection Law was formed, which states that a child has the right to protection from psychological violence. Psychological violence is a form of torture that focuses on the mental aspect, including actions or behaviors intended to intimidate and abuse, threats, or abuse of authority, isolation, and others that cause reduced self-confidence, fear, inability to act, and helplessness. In addition, psychological violence can cause students to become afraid in the learning process, inhibit their creativity, disrespect their teachers, reduce their desire to learn, and lose their enthusiasm for going to school. The solution will take a long time and requires patience from those who want to help them recover because the effects are related to mental conditions. Lately, various cases have emerged in society that make children victims. What is more heartbreaking, the perpetrators of violence who make children victims are parents or people in the same family.

The family is a place where children should feel comfortable in it and feel protected by the people in it, however, with the increasing number of cases of domestic violence that make children victims, the family is no longer a place of refuge. This can have a negative impact on the growth and development of children, especially the child's psychological growth. Psychic violence against children is a form of violence that attacks the mind and cannot be seen by the eye but can only be felt by the child. The impact of psychological violence on children that cannot be expressed by the child is that the child becomes a person who withdraws from the social environment, has difficulty developing, and has difficulty focusing on one thing.

Table 1.1
Number of cases of psychological violence against children in Jambi City in the last 3 years

Number	Years	Number Of Cases
1	2022	11
2	2021	14
3	2022	20

Source: UPTD PPA Jambi City

METHOD

This article uses a juridical-empirical research method. Juridical-empirical is a research approach that aims to see the gaps in society related to the implementation of Law No. 35 of 2014 concerning amendments to Law No. 23 of 2002 concerning Child Protection. This research is categorized as descriptive research. Descriptive research is research to analyze social facts by explaining them through legal aid or vice versa, the law is explained through the help of social facts that exist and develop in society. The data obtained, both primary and secondary data, are selected and classified and analyzed using qualitative analysis methods, then a conclusion is drawn. Then the results obtained are presented in descriptive form.

RESULTS AND DISCUSSION

Children are the next generation of the nation who have great responsibility for achieving the nation's ideals. Children based on the definition in Article 1 number 1 of Law Number 35 of 2014 concerning Child Protection explain that "A child is a person who is not yet 18 years old and is even still in the womb". According to the Big Indonesian Dictionary (KBBI), children are a mandate and gift from God Almighty who have the dignity and honor of a whole human being. Child victims are children who experience suffering, either physically, psychologically, or socially, due to acts of violence, mistreatment, neglect, or other human rights violations. Child victims are usually in a vulnerable condition and need special protection and recovery support so that they can return to living a healthy life mentally and physically. Protection of child victims aims to ensure that their rights are fulfilled and prevent long-term impacts that can affect their future. Ultimately, providing adequate attention and protection to child victims of violence is not only a matter of fulfilling legal obligations, but also an investment for the future of the younger generation. By providing the right support, we not only help them recover from trauma, but also give them the opportunity to grow into strong, empowered individuals who are able to contribute positively to society. Children are valuable assets to the nation, and protecting them is our shared responsibility. The Unitary State of the Republic of Indonesia is committed to ensuring the welfare of all its citizens, one of which is by providing protection for children's rights as part of human rights. In its efforts to ensure the protection and welfare of children, the government has established Law Number 23 of 2002 concerning Child Protection.

Along with the development of existing provisions, a number of articles in the law have changed, which were then outlined in Law Number 35 of 2014 as a revision of Law Number 23 of 2002 concerning Child Protection. Children are the next generation of the nation who bear great responsibility in realizing national ideals. Based on Article 1 number 1 of Law Number 35 of 2014 concerning Child Protection, a child is defined as an individual who has not reached the age of 18, including those who are still in the womb. In the Big Indonesian Dictionary (KBBI), a child is defined as a trust and gift from God Almighty who has value and dignity as a whole human being. Regulations related to special protection for children who are victims of psychological violence are part of the state's responsibility in guaranteeing children's rights in accordance with applicable laws and regulations. This protection is based on the provisions of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, which emphasizes that every child has the right to receive protection from various forms of violence, including psychological violence. Psychological violence experienced by children can have long-term impacts on their mental, emotional, and social development. Therefore, the government through the Community Empowerment, Women, and Child Protection Service (DPMPPA) has a strategic role in providing special protection through psychological rehabilitation services, family mediation, and social recovery.

In addition, special protection regulations are also strengthened by the existence of legal mechanisms that allow children who are victims of psychological violence to gain access to justice through legal assistance and reporting cases to the authorities. The government through the Child Protection Law in Indonesia has established special steps to protect these children. One form of protection is providing access to counseling and psychological rehabilitation services to restore the child's mental condition. In addition, law enforcement officers are also required to follow up on cases of psychological violence against children seriously, including providing legal protection during the investigation and trial process. The term "violence" is often associated with actions that are rough, painful, and have negative impacts. However, many people tend to understand violence only as physical behavior that is harsh and full of aggression. As a result, forms of oppressive or oppressive behavior that do not involve physical violence are often ignored and not considered forms of violence.

Psychological violence is an action or behavior that causes someone to experience emotional stress, fear, loss of self-esteem, or mental disorders. This violence can be in the form

of insults, threats, manipulation, rejection, or degrading treatment that is carried out verbally or nonverbally. The impact of psychological violence is often not physically visible, but can leave deep wounds that affect the victim's mental health, emotional development, and social relationships. In a legal context, psychological violence is a violation of human rights that requires special attention and handling. According to Article 1 paragraph 15a of Law No. 35 of 2014, violence is defined as any form of action committed against a child that can cause physical, psychological, sexual suffering, neglect, as well as threats, coercion, or reduction of freedom that is contrary to the law. Soeroso stated that psychological violence is an action that can cause psychological disorders in children, such as fear, loss of self-confidence, ability to act, feelings of weakness, and severe psychological suffering. Meanwhile, WHO explains that emotional (psychological) violence is any form of behavior that can inhibit a child's emotional development. Psychological violence is divided into two forms, namely:

- a. Severe psychological violence includes various actions such as control, manipulation, exploitation, arbitrariness, humiliation, and insults, which can take the form of prohibitions, coercion, or social isolation. In addition, actions or statements that are demeaning, insulting, stalking, and violence or threats in the form of physical, sexual, or economic, can cause severe psychological suffering characterized by one or more of the following impacts:
 1. Sleep problems, eating disorders, drug dependence, or sexual dysfunction, which can occur one or all of them in severe conditions and/or last a long time.
 2. Post-traumatic stress disorder.
 3. Severe physical disorders, such as paralysis or blindness without a clear medical explanation.
 - 4) Severe depression or a tendency to self-destruct.
 - 5) Mental disorders that cause a loss of connection with reality, such as schizophrenia or other psychotic disorders.
 - 6) Suicide.
- b. Minor psychological violence includes behaviors such as control, manipulation, exploitation, arbitrary actions, humiliation, and insults, which can be in the form of prohibitions, coercion, or social isolation. In addition, actions or statements that are demeaning or insulting, stalking, and threats of physical, sexual, or economic violence can also cause minor psychological suffering in various forms, such as one or more of the following:
 1. Fear and feelings of terror
 2. Feelings of helplessness, loss of self-confidence, and loss of ability to act.
 3. Sleep disorders, eating disorders or sexual dysfunction
 4. Minor body function disorders such as headaches or digestive disorders without medical indications.

Based on Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 Concerning Protection of Witnesses and Victims, Article 3 explains that victim protection is based on:

1. Respect for human dignity,

Respecting human rights and dignity is a principle for fulfilling rights and providing assistance to every human being, in this case witnesses and victims who are God's creatures, who must be respected and protected, and these rights may not be reduced by anyone and under any circumstances.

2. Sense of security,

A sense of security is one of the principles used in fulfilling rights and providing assistance to every witness and victim, especially to create peaceful conditions and situations both physically and mentally, both physically and psychologically.

3. Justice,

Justice is a principle also used in fulfilling rights and providing protection for witnesses and/or victims in accordance with their rights both proportionally, procedurally, in accordance with their obligations to provide testimony at every stage of the trial.

4. Non-discriminatory,

Non-discriminatory is a principle used in fulfilling rights in providing assistance that views every witness and/or victim as receiving recognition that in the same circumstances, must be applied equally before the law, without distinguishing economic level, class, race, religion, ethnicity, and so on.

5. Legal certainty

Legal certainty is a principle that is also prioritized in fulfilling rights and providing assistance in a state of law that prioritizes the basis of laws and regulations, propriety, and justice in every policy of state administrators.

Child development is carried out in accordance with Article 28B paragraph (2) of the 1945 Constitution of the Republic of Indonesia (UD NRI 1945), using the principles of fulfilling children's rights and protecting them as stated in the Convention on the Rights of the Child (CRC), namely: non-discrimination, the right to live, grow and develop, considering the best interests of the child, and respecting children's participation. In essence, children cannot protect themselves from various actions that cause mental, physical, and social harm in various areas of life. Therefore, children need to receive protection. The implementation of child protection is an obligation and responsibility of the state, government, society, family and parents.

Many parents are not aware of the form of psychological violence committed against children. For example, scolding a child, they think that this form of action is a form of affection from parents to protect children from danger. It turns out that all the actions of the parents are wrong, unintentionally the parents who scold the child have committed psychological violence against their child. Although the impact of psychological violence is not visible, the impact caused by psychological violence is very dangerous because the impact of this psychological violence is directly on the child's psyche or mentality. The long-term impact of children who are victims of violence can be seen when the child enters school age, adolescence and adulthood. School-age children have thoughts that are starting to develop, so the impact caused by this violence will be more complex.

The impacts caused by violence against children, as explained above, show how great the negative influence that can be experienced by children, both emotionally, psychologically, and socially. Continuous tension, numbness to feelings, loss of emotional control, to disruption of growth and relationship patterns, are clear evidence of how serious the impact of this violence is in shaping the future of children. Therefore, it is very important for families, communities, and governments to work together in creating a safe and supportive environment for children. With the right efforts, children who are victims of violence can recover from the trauma they experience so that they have the opportunity to grow and develop into healthy, confident individuals who are able to build positive relationships in the future.

Therefore, the government through the Department of Community Empowerment, Women, and Child Protection (DPMPPA) has a strategic role in providing special protection through psychological rehabilitation services, family mediation, and social recovery. In addition, special protection arrangements are also strengthened by the existence of legal mechanisms that allow children who are victims of psychological violence to gain access to justice through legal assistance and reporting cases to the authorities.

However, the implementation of this regulation still faces various challenges, such as the lack of competent human resources, low public awareness of the importance of child protection, and limited budget allocation for this special protection program. Therefore, synergy is needed between the government, community institutions, and the general public to ensure that every child victim of psychological violence can receive optimal protection in accordance with the principle of the best interests of the child.

CONCLUSION

Special protection for children who are victims of psychological violence in Jambi City has a strong legal basis and adequate implementation programs, although it still faces challenges such as lack of resources and public awareness. Therefore, it is necessary to increase synergy between the government, society, and families in providing legal protection and optimal psychological recovery.

Special protection arrangements for children who are victims of psychological violence in Jambi City refer to national laws and regulations, such as Law Number 35 of 2014 concerning Child Protection. The Community Empowerment, Women, and Child Protection Service (DPMPPA) of Jambi City is responsible for implementing this special protection program, including providing complaint services, psychological counseling, and referrals to relevant agencies for further assistance. Forms of legal protection for children who are victims of psychological violence in Jambi City include: a. Preventive Protection in the form of education to the community about psychological violence against children, awareness campaigns, and training for families to create a child-friendly environment. b. Repressive legal protection aims to resolve problems through law enforcement against perpetrators of psychological violence. Repressive handling includes legal proceedings against perpetrators in accordance with Article 76C and Article 80 of the Child Protection Law, which provide criminal penalties for perpetrators of psychological violence. The Service works with the police and prosecutors to ensure that the legal process runs effectively.

REFERENSI

- Ratri Novita Erdianti. "Hukum Perlindungan Anak Di Indonesia." In Hukum Perlindungan Anak Di Indonesia, 2020.
- Ahmad Saleh, S.H., MH. Malicia Evendia, S.H., M.H. Hukum Perlindungan Anak, 2016.
- Sofia Hardani Wilaela, Nurhasanah Bakhtiar Hertina. "Perempuan Dalam Lingkaran KDRT," 2015.
- Perundang-Undangan: Kemensesneg, RI. "Undang - Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang – Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak." UU Perlindungan Anak, 2014.
- Adri, Nadita, Andi Najemi, and Yulia Monita. "Pemenuhan Hak Ganti Rugi Bagi Anak Korban Kekerasan Seksual." PAMPAS: Journal of Criminal Law 5, no. 1 (2024) <https://doi.org/10.22437/pampas.v5i1.31815>.
- Ahmad Yunus. "Perlindungan Hukum Terhadap Anak Sebagai Korban Tindak Pidana Kekerasan Dalam Rumah Tangga (Perspektif Uu Pkdr dan Uu Perlindungan Anak)." Khatulistiwa: Jurnal Pendidikan Dan Sosial Humaniora 1, no. 4 (2021):. <https://doi.org/10.55606/khatulistiwa.v1i4.505>.
- Asy'ari, Sumiadji. "Kekerasan Terhadap Anak." Jurnal Keislaman 2, no. 2 (2021):. <https://doi.org/10.54298/jk.v2i2.3383>.
- Bella, Estee M. "Perlindungan Hukum Terhadap Anak Korban Kekerasan Psikis, Fisik Dan Seksual Menurut UU No. 35 Tahun 2014 Tentang Perubahan Atas UU No. 23 Tahun 2002 Tentang Perlindungan Anak." Lex Privatum IV, no. 4 (2016)
- Fitriani, Rini. "Anak Dalam Melindungi Dan Memenuhi Hak-Hak Anak." Jurnal Hukum : Samudra Keadilan 11, no. 2 (2016).
- Kartika, Yuni, and Andi Najemi. "Kebijakan Hukum Perbuatan Pelecehan Seksua (Catcalling) Dalam Perspektif Hukum Pidana." PAMPAS: Journal of Criminal Law 1, no. 2 (2021) <https://doi.org/10.22437/pampas.v1i2.9114>.
- Prastini, Endang. "Kekerasan Terhadap Anak Dan Upaya Perlindungan Anak Di Indonesia." Jurnal Citizenship Virtues 4, no. 2 (2024).

- Probilla, Syuha Maisytha, Andi Najemi, and Aga Anum Prayudi. "PAMPAS : Journal Of Criminal Perlindungan Hukum Terhadap Anak Korban Tindak Pidana Kekerasan Seksual. PAMPAS: Journal Of Criminal Volume 2 Nomor 1, 2021 2 (2021).
- Saputri, Eka Yuni. "Kekerasan Psikis Terhadap Anak Usia Dini Ditinjau Dari Tipe Keluarga Di Desa Welahan, Kabupaten Jepara (Studi Di Tk Nurul Ulum Dan Tk Sunan Muria)," 2019,
- Sunarso, Siswanto. "PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN KEKERASAN PSIKIS," n.d.
- Yusri, Ahmand Zaki dan Diyan. Hukum Perlindungan Anak Di Indonesia. Jurnal Ilmu Pendidikan. Vol. 7, 2020.