



Factors that Cause the Occurrence of Violent Crimes Against Children

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Abstract

This research aims to investigate factors that cause the occurrence of violent crimes against children. The data obtained in this research analyzed qualitatively using a descriptive approach (descriptive research) to describe the data obtained, then interpretation and conclusions provided. The results of the research found that Lack of supervision by parents, lack of awareness of children to resolve problems through deliberation, many groups of children are emerging. Meanwhile, efforts made by the police to tackle violent crimes against children in Bone Regency include: Guidance, Peace Efforts, Counseling, Patrols. Providing education to families about the importance of monitoring children so that their children do not become victims of crime or perpetrators of crime. Providing continuous legal education considering the important role of society in preventing crime, especially violent crimes against children.

Introduction

Based on Article 1 paragraph 3 of the Constitution of the Republic of Indonesia, it is stated that Indonesia is a country of law as it says "The State of Indonesia is a country of law". Based on the provisions of this Article of the Law, Indonesian society must comply with the rules of the law. Law in a broad sense can be equated with rules, rules, norms, or guidelines, both written and unwritten, which basically apply and are recognized by people as regulations that must be obeyed in social life and if they are violated they will be subject to sanctions.

Based on what was stated by Dudu (2003) One of the laws that apply in Indonesia is public law (in this case criminal law) where criminal law itself is divided into formal criminal law (criminal procedural law) and criminal law material (criminal law). Where formal criminal law is the rules regarding how to enforce material law. Meanwhile, material criminal law is a rule that formulates perpetrators, prohibited acts and sanctions.

Law enforcement in Indonesia currently cannot be separated from the aspect of legal protection for children (Danil et al., 2022). Discussions about children and their protection will never stop throughout the history of life, because children are the next generation of the nation and the successors of development, namely the generation that is prepared as the subject of implementing sustainable development and in control of a country's future.

The existence of children as the young generation who will continue the noble ideals of the nation, future leaders of the nation and as continuation of the struggles of previous generations needs to be given and get the widest possible opportunity to grow and develop properly both spiritually, physically and socially. Because the future of the nation depends on the quality of today's children.

Lately, we often hear and see in the media acts of violence that make children victims, whether it be abuse, harassment or even murder. What is even saddest is that most of the perpetrators

are people close to the victim or people who are related, for example parents, father or stepmother, uncles and other close people.

Violent crimes involving children as victims have reached a level that is considered serious, both by law enforcement itself and the community (Sergo, 2023). This can be understood because the problem of crime itself touches people's lives. Law enforcement circles, especially the Indonesian National Police (POLRI), have taken steps and policies to prevent and overcome these crimes, while scientific communities related to the problem of crime have carried out discussions on various efforts which are clearly appropriate. valued. However, conceptual input to form a reliable, systematic pattern of deterrence and overcoming is still needed.

Children are a trust and gift from Almighty God, in whom the honor and dignity of being a complete human being is inherent (Tobing, 2018). Children who are often considered weak creatures often become victims of violent crimes (Cantika, 2023). These include rape, abuse and murder.

Based on what Arif Gosita (1989) stated, children must be protected so that they do not become victims of anyone's actions (individuals, groups, private organizations or government), either directly or indirectly. The state, through the government, has made various efforts to provide the best to children, such as the enactment of Law Number 23 of 2004 concerning the Elimination of Domestic Violence and Law Number 35 of 2014 concerning amendments to Law Number 23 of 2002 concerning Child Protection to be implemented. However, until the issuance of the child protection law and until now, the welfare and fulfillment of children's rights is still far from expectations. All these efforts are not enough to reduce the high levels of violence and exploitation of children.

Crime is a form of behavioral deviation that always challenges the norms of life that exist in society (Hall, 2012). Investigations into crime problems never stop being carried out by criminologists (Weisburd et al., 2012). This indicates that the problem of crime is a central problem throughout human life.

IN Indonesia itself, the issue of acts of violence against children is regulated by ratifying the UN convention on children's rights which is outlined in existing laws and regulations in Indonesia, for example the Constitution of the Republic of Indonesia, the Law on Human Rights, the Law on concerning Child Protection and other related laws.

Violent crimes in the Criminal Code (KUHP) are strictly regulated in several articles such as articles 170, 285, 338, 339, 340, 351, 352, 353, 354 and 365 of the Criminal Code. Violent crimes in these articles carry very serious criminal penalties, even up to the threat of the death penalty. However, it still happens and will never stop.

For this reason, by looking at the complex problem of crimes of violence against children, Law Number 35 of 2014 was created concerning amendments to Law Number 23 of 2002 concerning Child Protection and also Law Number 23 of 2004 concerning the Elimination of Domestic Violence, Apart from that, special attention is needed among law enforcement, especially the police, so that they can do their best to overcome violent crimes against children.

Methods

The data obtained in this research will be analyzed qualitatively using a descriptive approach (descriptive research) to describe the data obtained, then interpretation and conclusions will be given. This research uses a normative and empirical legal approach to avoid bias towards research problems so that it is hoped that it will make research and data collection easier. The population in this research is all parties who are competent in the study of writing this scientific

paper, namely the police, victims and perpetrators. A sample is from a population or small group that is observed. As a representative of the population, sample or truly representative. There are four factors that must be considered in determining the research sample, namely degree, population diversity, desired precision, analysis plan, energy, costs and time. Technically, the sample size depends on the determination desired by the researcher. The samples in this study were 3 police officers from the Bone Police PPA Unit.

Results and Discussion

Factors Leading to Violent Crimes Against Children in Bone County

Based on the data collected related to crimes against children obtained as follows:

Table 1. Data on Violent Crimes Against Children in Bone County

No	Types of Crimes Against Children	2020	2021	2022	Sum
1	Persecutors	8	13	11	32
2	Rape	6	7	9	22
3	Obscene Acts	5	8	7	20
Sum		19	28	27	74

Based on the data above, we can see that in terms of criminal acts related to violence against children, there are fluctuations every year, in certain forms of criminal acts there is a decrease in the crime rate, but there are also crimes that increase every year. For more details, we see the diagram below This

Distribution of crime data based on causes of violence against children

Table 2. Data on violent crimes against children in Bone County.

Cause	Frequency
Milieu	16
Media Film	12
Revenge	16
Emotion	11
Sum	55

In the table above, of the 55 perpetrators of crimes against children, there were 12 perpetrators who said the environment was the reason they committed crimes, namely crimes of violence against people or property, while 12 cases were because of film media, namely rape cases, 16 cases because of revenge and 11 cases because emotion.

Efforts by the Police to Prevent and Overcome Violent Crimes Against Children in Bone Regency

Coaching

Based on the results of the research above, it can be concluded that the guidance carried out by the police is not carried out to overcome the crime of murder against children. Overcoming crimes against children in the form of murder is only carried out through socialization. This is very reasonable, because the crime of murder cannot be prevented by efforts in the form of - other forms as listed above.

For crimes against children other than murder, guidance is necessary. This is an effort to make society aware of the important role of children as the nation's next generation, and therefore it is appropriate for society to treat children and be given good non-formal education.

Peace

In several crimes against children, namely abuse, theft, violence, and rape/obscene abuse, the police make peaceful efforts. The author believes that the peaceful efforts made by the police will not reduce the number of crimes that occur. This is because peaceful efforts will not provide a deterrent effect for the perpetrator. Apart from that, peaceful efforts also do not have the impact of fearing other people who would commit this crime against children.

This is in line with data regarding the level of crimes against children, namely crimes of rape and sexual abuse, which are increasing from year to year. Therefore, the author actually suggests that the police follow up on these crimes and provide severe sanctions to have a deterrent effect. Of course, a coordination relationship is needed good relations between the police and the prosecutor's office in dealing with crimes against children in Bone district.

Counselling

This outreach activity is carried out as a means of providing education to the public as a form of effort to prevent and overcome crime or criminal acts. With the increasing number of outreach activities carried out by the police and local government, it is hoped that there will be more public understanding in making efforts to prevent crime and criminal acts, including crimes of violence against children.

There is an opinion that hitting a child or committing violence against a child, if it is done for their good, is permissible. This kind of understanding is clearly wrong. Because after all, every child has the same rights and position and violence should not be used when dealing with problems with children.

This outreach effort is carried out to carry out prevention. Because after all, preventing crime is better than trying to educate criminals to become better again, as the motto in criminology is that efforts to improve criminals need to be paid attention to and directed so that repeat crimes do not occur.

Patrol

The efforts made in the form of patrols are also quite good. This activity will give potential perpetrators of crimes against children fear of committing their crimes, because the supervision carried out by the police is quite strict.

In the interviews conducted by the author, the author did not obtain data regarding patrol activities carried out by the police in Bone Regency. So the author cannot provide conclusions regarding how effective these patrols are in Bone Regency.

Legal protection for children who are victims of violence

The implementation of witness and victim protection cannot be separated from several problems, namely; enforcement of witness and victim protection laws, when to protect witnesses and victims, forms of witness and victim protection and procedures for protecting witnesses and victims in the criminal justice process.

Enforcing protection for victims, especially children who are victims of criminal acts, is currently regulated by Law Number 13 of 2006 concerning Protection of Witnesses and Victims. An effective Witness and Victim Protection Law, which was created to address problems such as human rights violations, is an integral part of maintaining the functioning of the integrated criminal justice system.

Based on the results of research conducted by the author at the Bone Police PPA Unit by

conducting interviews with Mr Bripka Hardian, he stated that protection for witnesses and victims must be provided if the legal process is to run correctly and justice is upheld.

It can be noted that the facts show that many criminal cases and human rights violations are not revealed and are not resolved due to physical or psychological threats as well as attempts to criminalize witnesses, victims or their families which makes people afraid to give testimony to law enforcement. .

The target of protection provided by the Witness and Victim Protection Law for victims is regulated in Article 5, which is that rights are given to witnesses and/or victims of criminal acts in certain cases in accordance with the decision of the Witness and Victim Protection Agency. Victims of serious human rights violations also have the right to receive medical assistance; and psycho-social rehabilitation assistance.

The birth of criminology as a science, because criminal law, both material and formal, and the punishment system are no longer effective in preventing and eradicating crime, in fact crime is increasing in various aspects of life. With the ineffectiveness of criminal law, experts began to conduct research not on legal regulations regarding crimes or related to crimes, but the object was the person who committed the crime.

Etymologically, crime is a human act that has an evil nature, such as when people kill, rob, steal and so on. Sutherland emphasized that the main characteristic of crime is behavior that is prohibited by the state because it is an act that is detrimental to the State and to that act the State reacts with its law as the ultimate.

Meanwhile, adherents of the sociological school argue that in providing an understanding of crime one must start by studying the norms of behavior in society so that there does not need to be political boundaries and they are not always contained in the law.

Child abuse

Based on an interview on August 21 2023, with Aipda R as an investigator with the Women and Child Protection Unit, he said that several factors that cause criminal acts of abuse of children in Bone Regency are lack of parental supervision, rampant promiscuity, lack of deliberation, and also widespread gangs or groups of young people, thereby provoking competition between young people.

Rape and Obscenity

Based on the data above, it can be seen that the number of crimes against children, both rape and obscene acts, continues to increase from year to year. For the crime of rape, in 2020 there were 6 (six) cases of rape. Then in 2020 and 2021 it increased to 7 and 9 cases respectively. This increase also occurred in crimes against children in terms of obscene acts. In 2020 there were 5 cases of obscene acts against children, then it increased drastically, in 2021 there were 8 cases and in 2020, there was only a decrease of 1 case, namely 7 cases of obscene acts.

Based on the results of an interview on the same occasion with Bripka A.W. The author asked about the phenomenon of increasing criminal acts of rape and obscene acts in Bone Regency, in the interview he stated that:

The factors that influence this are none other than the lack of supervision carried out by parents over their children. This factor is a very influential factor among other factors, this condition is actually very worrying, lack of attention to children can result in children looking for other activities outside the home, so that the environment then influences the child's development. If conditions are like that, then the widespread circulation of pornographic videos and

pornographic photos due to an uncontrolled environment also has a big influence on this condition, leading children to engage in promiscuity and end up committing less than commendable acts.

Based on the results of these interviews, it can be concluded that parental war has a big influence on the condition of children, both when they are at home and when the children are outside the home. As the lowest social place, but which has the greatest influence on children's development, the family should be able to control children both when they are in a formal education environment and in the environment where they socialize on a daily basis. Apart from that, the widespread circulation of pornographic videos should be handled by the police.

Confidentiality of the victim's identity

The Bone Police provide a form of protection for victims of violence, for example rape victims, by keeping the victim's identity secret and carrying out closed examinations in a room specially provided by UPPA. Apart from that, the police also keep away from media publications, both electronic media and mass media. This is done because the rape victim feels embarrassed because what happened to her was a shameful disgrace to herself, her family and society. The purpose of keeping the victim's identity confidential is so that the rape victim does not experience a second form of abuse, namely harassment by society.

Providing counseling outside of legal channels

Providing counseling, namely consultation with victims outside of legal channels, is carried out before an investigation is carried out. This gentle approach is carried out with the aim of ensuring that the victim does not feel afraid and traumatized after the investigation is carried out. With this counseling, it is hoped that the victim will be able to tell the truth and as clearly as possible about the incident he experienced without feeling afraid or depressed. That way it is also easy for the police to carry out investigations.

During counseling, victims are allowed to be accompanied by parents, lawyers, or NGOs related to child protection issues.

Providing medical assistance and psychosocial rehabilitation assistance

In this case, the Bone Police PPA unit provides medical assistance in the form of post-crime care, apart from that, psycho-rehabilitation assistance is also always applied, this is intended to restore the victim's mental state due to the stress he is facing.

Give victims the freedom to get assistance

In this case, the victim is given the freedom to appoint a party or individual to accompany him during the examination, the aim is to make the victim feel that he is not alone in facing his problem but that he is receiving attention from those closest to him or people he knows.

Conclusion

Lack of supervision by parents, lack of awareness of children to resolve problems through deliberation, many groups of children are emerging. Meanwhile, efforts made by the police to tackle violent crimes against children in Bone Regency include: Guidance, Peace Efforts, Counseling, Patrols. Providing education to families about the importance of monitoring children so that their children do not become victims of crime or perpetrators of crime. Providing continuous legal education considering the important role of society in preventing crime, especially violent crimes against children.

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