

Policy Implementation of Law No. 35 of 2014 Regarding Child Protection in Cibeber District, Lebak Regency

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Abstract: Child protection is all the forms that are implemented that every child can get the rights and responsibilities to grow and develop naturally, both physically, mentally, and socially. The purpose of this research is to find out the implementation of Law No. 35 of 2014 on Child Protection Policy in Cibeber District, Lebak Regency. The research used descriptive qualitative methods and the basis for the use of research methods aims to collect and analyze a certain process related to the research focus. The data obtained are presented descriptively and analyzed using descriptive analytic techniques of the case study type. The theory used in this research is the Implementation Theory of Donald Van Metter and Carl Van Horn in Widodo (2008). The results of the study show that the Cibeber District Government has socialized child protection regulations quite well, this is evidenced by the role of the Cibeber District Government in collaboration with related parties such as the Health Party, Law Enforcement Officials, Village Government Parties, Social Assistance Parties (PATBM), to socialize and implement programs related to child protection, especially in Law No.35 of 2014. The obstacles found are the lack of public understanding of child protection regulations, as well as socio-economic conditions that result in gaps in the occurrence of violence against children, besides that the form of programs and socialization carried out by the government is not carried out in stages.

Abstrak: Perlindungan anak merupakan segala bentuk yang dilaksanakan agar setiap anak dapat mendapatkan hak dan tanggung jawab untuk tumbuh serta berkembang secara wajar, baik fisik, mental maupun sosial. Penelitian ini bertujuan untuk mengetahui Implementasi Kebijakan Undang-Undang Nomor 35 Tahun 2014 Tentang Perlindungan Anak di Kecamatan Cibeber Kab Lebak. Penelitian ini menggunakan metode kualitatif deskriptif sehingga dasar pada penggunaan metode penelitian bertujuan guna mengumpulkan dan menganalisa suatu proses tertentu terkait fokus penelitian. Data yang diperoleh disajikan secara deskriptif dan dianalisis menggunakan teknik deskriptif analitik tipe studi kasus. Teori yang digunakan dalam penelitian ini yaitu Teori Implementasi dari Donald Van Metter dan Carl Van Horn dalam Widodo (2008). Hasil dari penelitian menunjukkan bahwa Pemerintah Kecamatan Cibeber telah mensosialisasikan aturan perlindungan anak dengan cukup baik, hal ini dibuktikan dengan peran Pemerintah Kecamatan Cibeber bekerjasama dengan pihak-pihak terkait seperti Pihak Kesehatan, Pihak Aparat Penegak Hukum, Pihak Pemerintahan Desa, Pihak Pendamping Sosial (PATBM), untuk mensosialisasikan dan melaksanakan program-program terkait perlindungan anak terutama dalam UU No.35 Tahun 2014. Adapun hambatan yang ditemukan kurangnya pemahaman masyarakat tentang regulasi perlindungan anak, serta kondisi sosial ekonomi yang mengakibatkan kesenjangan terjadinya kekerasan terhadap anak, selain itu bentuk program dan sosialisasi yang dilakukan pemerintah tidak dilakukan secara bertahap.



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INTRODUCTION

The essence of human rights is deeply embedded in Indonesia's 1945 Constitution, particularly in Chapter XA on Human Rights Article 28A, where the "right to life and to defend one's life and livelihood" is enshrined. In addition, Article 28B (2) emphasizes the importance of protecting the rights of every child, including his or her right to live, grow, develop, and receive protection from violence and discrimination. Child protection is also regulated in Law No. 35 of 2014, an amendment to Law 23 of 2002, which seeks to ensure the welfare of all citizens and guarantee the protection of children's rights as an integral part of human rights protection.

The state has the responsibility to provide security and welfare and rights for children, which can be seen in the approaches that have been pursued by various institutions. Protection and discrimination-free treatment ensure the future of the nation's young generation. The strategic value of children lies in their unique character and special traits, which reflect the sustainability of the country and its people. The child has a role as a rights holder, and everyone must respect, protect, and ensure that the child's rights are fulfilled. He or she is the subject of his or her rights, but due to the substance of his or her vulnerable characteristics (still in the stage of growth and development), it is adults who hold control or participate in the survival and growth, and development of children. Children's rights are an integral part of human rights.

Based on Law No. 39/1999 on Human Rights mentions the rights of children, and the obligations and responsibilities of parents, families, communities, and governments. Regarding this can be seen in the provisions of Article 52 to Article 66 of the Law on the Protection of the Rights of Indonesian Children. Referring to the Policy of Law No. 35 of 2014 concerning

Child Protection, Lebak Regency Regional Regulation No. 08 of 2013 concerning Women's Empowerment and Child Protection and Lebak Regent Regulation No. 21 of 2015 concerning the Integrated Service Center for Women's and Children's Empowerment in Lebak Regency, as an effort by the local government to protect the community from acts of child abuse and women's protection.

In fact, cases of child abuse are increasingly present in the news both in print and electronic media, especially in Lebak Regency. Various crimes and modes and impacts resulted from child abuse. The rise of criminal cases involving children as victims is an example of sexual crimes against children by pedophiles. This is certainly a threat to parents and children. Based on data from the Population Control, Family Planning, Women's Empowerment, and Child Protection Office (DP2KBP3A) of Lebak Regency, in October 2021, there were 45 cases of sexual violence against children.

On November 30, 2021, the number of cases increased to 70 cases. In 70 cases, children under the age of five (toddlers) to 15 years old were victims of sexual violence. Lebak District Office Manager (DP2KBP3A) Dedi Lukman Indepur stated, "Sexual violence against children is already in a state of crisis, so it must receive serious attention from various levels of society in Lebak District." They must supervise and protect children and women to avoid sexual violence. Currently, cases of sexual violence in Lebak Regency are like an iceberg phenomenon. It is suspected that many residents do not report the crime to the authorities. victims of crimes of discrimination and violence against children, one of which is sexual harassment, are students, residents, and Islamic students, while the perpetrators are close people including stepfathers, uncles, teachers, Islamic teachers, and cousins. To reduce violence against children, the Lebak Regency Government

socializes the Community-Based Integrated Child Care Institution (LPATBM).

So that the appeal from the Lebak Regency Government through the Office (DP2KBP3A) so that all 340 villages have LPATBM to minimize violence against children and women. In addition, the influence of media and pornography is said to be a contributor to the increase in sexual violence against children. This is because adults and even children have easier access to pornography, sex, and murder content. These shows are made attractive through various media (newspapers, magazines, tabloids, comics, novels, TV, DVDs, games, and the internet.

METHODS

This research used the descriptive qualitative research method, which is a research method used to research on natural object conditions where the researcher is the key instrument, data collection techniques are triangulated (combined), data analysis is inductive, and qualitative research results emphasize meaning rather than generalization. The basis of research using this method aims to collect and analyze a certain process related to the research focus. Selection of informants selected by researchers using purposive sampling technique (by having inclusion criteria) and Key Person The number of informants in this study was 15 people consisting of 4 formal informants and 11 informal informants. The data obtained is then presented descriptively and analyzed using descriptive analytical techniques of the case study type.

RESULTS AND DISCUSSION

This research focus on policy implementation research on policy-

related issues on formal objectives that have been formed. The purpose of this research is to find out how the Policy Implementation of Law Number 35 of 2014 concerning Child Protection in Cibeber District, Lebak Regency.

The implementation process is an abstract concept or an implementation of policy implementation that should be carried out in order to achieve optimal public policy performance by balancing various variables. This form operates on the assumption that policy implementation takes place linearly starting from political decisions, and implementers, and finally producing the results of public policy.

There are six fundamental variables of the theory of Van Metter and Van Horn in Widodo (2008) where these variables can affect the performance of public policies related to the analysis of Policy Implementation of Law Number 35 of 2014 concerning Child Protection in Cibeber District, Lebak Regency including:

Success in the effectiveness of public policy implementation can only be taken into account if the scope and objectives of the policy are realistic at the level of policy implementation with the dominant socio-culture if the policy objectives or strategies are too ideal to be implemented at the citizen level, public policy is very difficult to implement as far as it can be called successful.

The implementation of Law No. 35 of 2014 in Cibeber District, Lebak Regency states that Child Protection includes all efforts made to ensure that children's rights are always protected. This includes enabling them to live and develop optimally, with dignity, and protected

from discriminatory behavior and violence. The attitude carried out by the Cibeber District Government, Police, Health, and other related parties in socializing Law No. 35 of 2014 is good enough by socializing about the goals and virtues in child protection. This is because children are assets for the next life and are protected by law.

The success of policy implementation depends in a significant way on the proper utilization of existing resources. Human resources play a major role in deciding whether a process will be successful. Appropriate human resources become a major asset for certain stages of the implementation process, especially when policies are formulated in a non-partisan manner. However, public policy performance is jeopardized when the capabilities and capabilities of human resources are inadequate. In addition to human resources, financial resources and time must also be taken into account. Even with competent human resources, the absence of budget funds is a challenge in realizing the direction of public policy success. This is related to time resources. When human resources are actively working and the flow of funds is going well, but are hindered by limited time problems, so this can be part of the failure of policy implementation.

The various parties involved, including the district, PATBM, Polsek, health workers, and the municipality, are trying to implement the decree. Persuasive approaches and actions will be taken to ensure that the understanding of this provision is applied and communicated well to the public.

In terms of budget, the socialization infrastructure has changed this year and researchers have observed the funding of child protection socialization in several villages. This budget change is due to the Covid-19 pandemic situation that has impacted the Child Welfare Socialization Program in Cibeber District, Lebak Regency.

Implementing agencies prioritize formal and informal organizations when implementing public policies. Their focus on this is paramount because the effectiveness of policy implementation is greatly influenced by the quality of the implementers, who must meet acceptable and appropriate standards. For example, when implementing a public policy aimed at radically reforming people's behavior or conduct, explicit and severe legal rules, and sanctions must be applied to the people implementing the project. At the same time, if public order does not change people's basic behavior too much, it is possible that the enforcement apparatus to be introduced is not as strong and strict as in the first picture. In addition, in determining the enforcement agency, the scope or area of policy implementation must be considered. The more extensive the policy implementation, the more actors are involved.

Description of the rules regarding child protection has been done well and persuasively, although the level of education of the community in Cibeber Sub-district still lacks understanding of child protection regulations. Community law compliance has been carried out both the rules and sanctions regarding the protection of children from violence.

The failure in the performance of public policy implementation can be

influenced by the attitude of acceptance and rejection by the implementing agent. This can be possible because the implemented policy is not a formulated decision from citizens who know the problems they face. However, policies related to implementing agents are "top down" policies that can occur, so that decision makers do not know (or even unable to touch) the needs, desires or problems that local residents want to solve.

The regulation of Law No. 35 of 2014 on Child Protection in Cibeber District, Lebak Regency has actually been regulated from the central level to the village level. Based on the results of observations, researchers found that the central government program brought by the child protection extension team was carried out in a structured manner and the delivery of programs and regulations was well received by residents.

One way to implement public policy is to have communication between organizations so that later it can coordinate the implementation of activities that have been designed. The coordination of this activity serves to deliver messages between organizations in order to create good communication between the parties involved. So that later it can provide success in delivering messages.

One of the communications used in the implementation of regulations, namely Law No. 35 of 2014 concerning Child Protection in Cibeber District, Lebak Regency, has been carried out, this is evidenced by the collaboration of the Cibeber District Government with the Lebak Regency Education Office, KPAI

Lebak Regency in socializing regulations related to child protection.

The last point to consider in evaluating the efficiency of public implementation from Van Metter and Van Horn's perspective is the extent to which the external environment can influence the success of public policies set based on poor social, economic, and political conditions that can be blamed for the failure of policy implementation. Therefore, when implementing policies, one must also pay attention to the conducive state of the external environment.

The conduciveness of the community of Cibeber District, Lebak Regency can be seen in responding to various events related to acts of child abuse that the community's participation in understanding and obeying the rule of law as well as the role of the efforts of the District, and law enforcement officials in solving problems properly and in a family manner.

Judging from the social conditions of the residents of Cibeber Subdistrict, which are full of customs, culture, and religion, any problems that arise are in accordance with applicable law. In this case, researchers can see that the level of education of the community can be classified as a low level of education. Other evidence is shown based on the existence of the rule of law and community cohesion. The nature of family culture has basically existed for a long time in Kecamatan Cibeber.

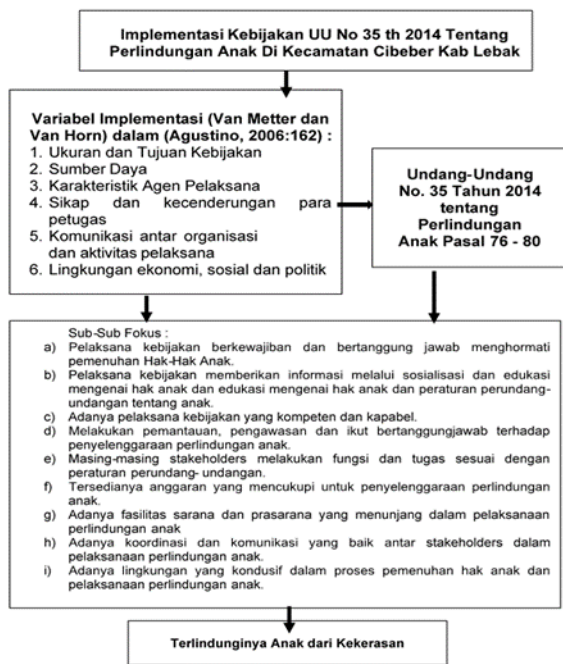


Figure 1. Schematic of Concept Analysis

CONCLUSION

Based on the description and discussion above, it can be concluded that the research on Policy Implementation of Law Number 35 of 2014 concerning Child Protection in Cibeber District, Lebak Regency, can draw the following conclusions:

- 1) The definition of violence against children is all actions that can injure children physically, psychologically, sexually, and socially.
- 2) Factors that cause the occurrence of physical, psychological, sexual, and social acts of violence against children committed by parents are due to parents' lack of knowledge about regulations governing child protection, lack of socialization of child protection policies in villages located in Cibeber District and socio-economic gaps in society and environmental factors.
- 3) Efforts to prevent violence against children are the socialization of Law No. 35 of 2014 concerning Child Protection,

which is actively supported by the Cibeber District Government. And not to forget the understanding of parents, local community support, the active role of health workers, social workers or assistants, law enforcement officials, and legal aid agencies.

This study uses the Implementation theory of Donald Van Metter and Carl Van Horn in Widodo (2008), namely: (1) Policy Size and Objectives; (2) Resources; (3) Characteristics of Implementing Agents; (4) Attitudes and tendencies of officers; (5) Inter-organizational communication and implementing activities; and (6) Economic, social and political environment. The conclusions are as follows:

1) Policy Size and Objectives; Based on the informant's explanation of the dimensions of the size and objectives of the policy in the implementation of Law No. 35 of 2014 concerning Child Protection in Cibeber District, Lebak Regency, namely that this law has entrusted that Child Protection is an effort to provide guarantees and provide protection for children and their rights in order to live, grow, develop, and participate optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination. The roles carried out both by the Cibeber District Government, the Police, Health and other related parties in socializing Law No. 35 of 2014 are good enough by socializing it with the purpose and importance of protecting children because children are assets for their next life and are protected by law.

2) Resources; Implementation of Law No. 35 of 2014 concerning Child Protection in Cibeber Sub-district, Lebak Regency in

the resource dimension that all parties, including the Sub-district, PATBM, Police, Health, and the Community, have made efforts to implement the regulation. Persuasive threats and actions are carried out with the aim of understanding these regulations so that they can be carried out properly and conveyed to residents.

3) Characteristics of Implementing Agents; Explanation of regulations on child protection has been carried out well and persuasively, although the level of education of the community in Cibeber District is fairly low in understanding child protection regulations. Community discipline and law-abiding attitudes have been implemented both in terms of regulations and sanctions related to protecting children from violence.

4) Attitudes and tendencies of the officers; Researchers can conclude that this regulation has been regulated from the central level to the village level. Through observation, the researcher also found that the central government program brought by child protection extension teams was carried out in a structured and systematic manner so that it was effective for the community.

5) Communication between organizations and implementing activities, the researcher concluded that the communication carried out in the implementation of regulations had been carried out even though the Cibeber District Government collaborated with the Lebak Regency Education Office, KPAI Lebak Regency in socializing rules related to child protection.

6) Economic, social, and political environment: The condition of the community of Cibeber Subdistrict, Lebak Regency in responding to various

incidents related to acts of child abuse is that the community's participation in understanding and obeying the rule of law and the role of the efforts of the Subdistrict, and law enforcement officials in solving problems is carried out properly and in a family manner. Seeing the social conditions of the Cibeber Subdistrict residents who are thick with customs, culture, and religion makes every problem that occurs in accordance with the applicable laws, although the researcher's observations found that in terms of the level of education of the Cibeber Subdistrict community is relatively low, they prioritize the rule of law and community cohesiveness. The family culture has been established for a long time basically in this Cibeber District area.

SUGGESTION

The conclusions presented above, the following suggestions can later be useful for researchers and the community related to the Implementation of Policy Law No. 35 of 2014 concerning Child Protection in Cibeber District, Lebak Regency," among others:

1) The role of parents is mainly needed so that they often have time to communicate with their children about activities experienced by children in daily activities in the school environment and the surrounding community, so that there is good communication between them. In the end, children and parents can form a strong internal relationship so that conflicts of desire are resolved through positive communication so that violence against children in the family can be prevented.

2) Parents are required to have good self-control or self-control, ie. when the child commits wrong actions or the child's behavior deviates from the wishes of the parents and does not commit violence. Understanding child protection rules must of course be followed, considering that children are the most important thing and are protected by law.

3) Parents should be a good example for children, this is because the stages of education undertaken by children will continue, especially the influence in the family environment or informal learning. Religious education of children from an early age. religion teaches morals to children to do good.

4) The role of citizens is required to be more aware of the characteristics of violence against children, and citizens must also have an understanding of information about crimes against children. In addition, law enforcement to create awareness about preventing and reporting violence. Prevention can be done by closely monitoring and providing vigilance to children so that they do not become targets of violence from those around them, both in the school environment and in the community.

5) Immediately report any suspicion of child abuse to community leaders, or religious leaders, and can report directly to the authorities and the Indonesian Child Protection Commission (KPAI) to prevent violence against children from increasing.

6) The Cibeber sub-district government is obliged to carry out socialization related to the signs of child abuse conveyed by the village government. As well as a training program for all levels of society regarding the prevention of crimes

against children and the prosecution and punishment of criminals. Socialization is carried out massively and continuously, especially physical and psychological assistance for recovery from injuries or psychological trauma experienced by children.

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