

Salasika

**INDONESIAN JOURNAL OF GENDER, WOMEN,
CHILD, AND SOCIAL INCLUSION'S STUDIES**



**VOL. 5
NO. 2**

**DECEMBER
2022**

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Government's Responsibilities in Handling Cases of Child Sexual Abuse in Samarinda

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ABSTRACT

Sexual violence in Samarinda has increased since 2020 when the coronavirus spread in Indonesia. This research aims to investigate the government's responsibility for sexual abuse crimes against children in Samarinda. The research is descriptive and qualitative with a narrative approach. In-depth interviews were conducted by meeting employees who were assigned to the Women and Children Empowerment Service in Samarinda. This study discovered the government's limitations in handling victims of sexual assault cases due to the COVID-19 pandemic. In conclusion, the government's responsibility rests on Samarinda City Women and Children Empowerment Service. Various efforts have been made, such as improving regulations, socializing, collecting data, receiving public complaints, conducting reviews, monitoring, evaluating, and supervising violations of child protection.

KEYWORDS: *sexual abuse, children as victims, child sexual abuse, child molestation, Samarinda*

INTRODUCTION

Sexual violence is defined as any sexual act, attempt to perform a sexual act, comment, or sexual behaviour that is not intentional or otherwise, an act of violation to have sexual intercourse by coercion against someone (Mega Oktavia Simamora; et al., 2022). Sexual violence is any activity consisting of sexual activity that is carried out by

force by an adult on a child or by a child on another child (Ramayanti & Suryaningsi, 2021). According to UNICEF (2014), sexual violence is any activity consisting of sexual activity that is carried out by force by an adult on a child or by a child on another child. Sexual violence includes the commercial use or involvement of children in sexual activities, inducements or coercion of children to engage in sexual

activities, involvement of children in audio-visual media, and child prostitution (Christopher & Suryaningsi, 2021).

According to the Law Number 35 of 2014 in Indonesia, violence is any act against a child which results in physical, psychological, or sexual effects and/or leads to neglect of misery or suffering, including threats to commit acts, coercion, or deprivation of liberty unlawfully.

Sexual crimes against children are a serious problem and a social disaster that worries society. The number of sexual violence against children has increased every year. This condition demands the protection for children. One of the main causes of the emergence of sexual crimes against children in Indonesia is the lack of education, teaching, understanding, and instilling community religious values and the ease of accessing pornographic content (Antonio & Suryaningsi, 2022; Bjørnseth & Szabo, 2018; Ochieng et al., 2022).

The surrounding environment has considerable influence and responsibility in shaping a child's behaviour (Ayoub et al., 2019; Newson, 2017; Suryaningsi & Muhammad, 2020). Therefore, guidance, coaching, and protection from parents, teachers, and other adults are very much needed by children in their development (Aini et al., 2021; Saltiana, 2021). Protection for children already exists and is determined by the government in overcoming sexual violence. Even though the Child Protection Act has been enacted, the perpetrators dare to carry out their evil actions. The rise of violence against children every day has raised

concerns from different parties, especially the government. In response to this, the Indonesian government issued the Law No. 17 of 2016 concerning the Stipulation of Government Regulation instead of Law No. 1 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection to become RI Law No. 35 of 2014.

At present, sexual violence, according to the Law Number 35 of 2014, about amendments to Law No. 23 of 2002 concerning Child Protection, is stated in the term sexual crime, which is based on the need for increased commitment from the government, regional governments, and the community and all stakeholders related to the implementation of child protection. In fact, in Indonesia, cases of sexual violence have increased every year. The victims are not only adults but also teenagers, children, and even toddlers. Cases of sexual violence against children continue to increase from time to time (Ochieng et al., 2022; Ruslan & Suryaningsi, 2021). This increase is not only in terms of the quantity of cases but also the quality. What is even more tragic is that most of the perpetrators are from the family or the environment around the child, including in their own houses, schools, other educational institutions, and the child's social environment. The central and regional governments, the society, the families, and the parents are obliged to provide protection and guarantee the fulfilment of the child's human rights through their duties and responsibilities.

Child protection that has been carried out has not provided

guarantees for children to get treatment and opportunities according to their needs in various areas of life, so that in carrying out efforts to protect children's rights, it must be based on the principles of human rights, namely respect, fulfilment, and protection of Children's Rights (Ayoub et al., 2019; Covell et al., 2018; Dao et al., 2020; Drummond, 2016; Kooli & Muftah, 2020).

Based on the data compiled from the Sub-directorate of Youth, Children, and Women (Renakta) of the East Kalimantan Police's Crime Investigation Unit, sexual violence against children has increased in the last two years. In East Kalimantan, three cities occupy the highest ranking of violence cases against women and children. In 2021, the City of Samarinda had 293 cases, the City of Bontang had 70 cases, and the City of Balikpapan had 51 cases. As of July 1, 2022, there were around 441 cases, but in July-August, the number increased by 138 cases. Based on these data, as of September 1, 2022, there were 579 violence cases against women and children in East Kalimantan, with a total of 612 victims.

In the last few months, cases of child sexual abuse have been on the rise again in Samarinda. As reported by several Metropolis media, it has been noted that cases of sexual abuse against children in Samarinda are increasing. The number of victims of child violence is 313, while there are 308 cases of adults. Violence against women and children in East Kalimantan is quite high, and around 3 or 4 cases occur in a day.

Out of 10 regencies or cities in East Kalimantan, Samarinda is

ranked first with the most cases (173 cases). Samarinda also has the highest number of victims. There were 26 male victims, 77 female victims, and 87 adult female victims. It should be noted that the total numbers of victims and cases are different because one case can have more than one victim.

In 2012 there were 30 cases of sexual abuse on the Etam continent. The number increased by ten a year later. Until March 2014, 9 cases were recorded. Sexual intercourse with minors has also increased. In 2012, 76 cases happened. Meanwhile, in 2013 the number increased to 78 cases. Until March 2014, there were 18 cases (Corkery et al., 2018).

If we look further, there are various cases of child molestation. There are sexual harassment committed by teachers, sexual abuse of street children committed by coordinators, and others. Child molestation is of great concern to many schools and mothers who have children (Brown et al., 2020; Gatuguta et al., 2018).

Child sexual abuse is a form of treatment that degrades the dignity of children and causes lasting trauma. Forms of sexual abuse such as being raped, molested, or forced to have intercourse have had an endemic impact. From the lens of child psychology, such abuse will aggregate all suffering that has ever existed (Gerke et al., 2020; Hornor, 2010; Wismayanti et al., 2019).

Sexual harassment that is highlighted these days is proof that forms of exploitation of children are carried out by actors who have more physical strength. This is done for the sexual satisfaction of adults. Physical strength is used as a tool to

expedite evil efforts. The perpetrator easily deceives a child so that s/he wants to obey all the orders of the person who orders him. Often the perpetrator promises something or persuades the victim so that, in the end, the victim is treated and harassed in various forms.

Many incidents of child sexual abuse are often not reported to the police. These cases tend to be kept secret and are rarely even discussed by the perpetrator or the victim. The victims feel ashamed because they see things as a disgrace that must be hidden, or they are afraid of any threats from the perpetrators (Herman, 2015). Meanwhile, the perpetrator feels ashamed and afraid that s/he will be punished if her/his actions are discovered.

Sexual harassment of children refers to sexual behavior that is not reasonable that harms the victims who are still children and disturbs the peace in society.

Namy et al. (2017) have mentioned that sexual harassment, among others, is defined as a form of action unnatural to children and is usually carried out by adults. Experts generally give this definition to be a form of wrongdoing against children. It can be physical, such as beatings that injure children and their souls and taking out anger on children by saying dirty and obscene words. Another form of child abuse can also take the form of sexual abuse. For example, adults may have direct sexual contact with children based on post-rape or non-coercion. Other acts of sexual mistreatment are sexual exploitation, such as child prostitution and child sexual abuse.

Child sexual abuse is often not identified for reasons that go

unnoticed. The child does not understand what is happening to them, the perpetrator threatens the child if they report the incident, or the child's report is not taken seriously for various reasons. For example, the child is not trusted or denied by adults to whom the child reports what happened (Tosh, 2014).

Sexual harassment can occur within the family environment or outside the family (in the community). These actions can be carried out by a family member, a relative, a neighbor, and even a stranger the child does not know (Christian & Kennedy, 2011). Children are individuals who are not fully developed physically, mentally, or socially because of their being vulnerable, dependent, and still developing conditions compared to adults. It is clear that children are more at risk of violence, exploitation, neglect, and so on.

In general, the consequences of violence against children are very serious and dangerous because a child is in a period of growth, both physically and mentally. Children who experience sexual abuse, when not well-treated, will experience disabilities not only physically but also mentally and emotionally. This mental and emotional disability will change life and the future and will carry on into adulthood (Suryaningsi et al., 2021).

Children, as the backbone of the nation and as the next generation to be the successors of the nation, must certainly live and grow according to their needs so that they can live according to their dignity and can become the nation's successors who can be relied upon to advance and prosper the country, not to be ones

whose mental development is psychologically hampered and who even experience sexual harassment deviations. In this case, the government must immediately intervene to protect children who experience various problems that can hamper their lives.

A clear manifestation that the country is the protector of children's dignity is Law Number 23 of 2002 concerning Child Protection and Presidential Decree No. 77 of 2003 from the Indonesian Child Protection Commission, or called The National Commission for Child Protection. The National Commission for Child Protection is an independent state institution whose job is to protect the nation's children from all actions that harm them. This is by the constitutional mandate: "Every child has the right to survival, growth, and development and is entitled to protection from violence and discrimination".

The National Commission for Child Protection also sees the need to establish the Women and Children Empowerment Services at the provincial and district/city levels as an effort to oversee and supervise the implementation of child protection in the regions. The Women's and Children's Empowerment Service is not a representative of The National Commission for Child Protection in a hierarchical-structural sense but is more coordinative, consultative, and functional. The existence of the Office for the Empowerment of Women and Children is in line with the era of regional autonomy where the development of child protection is the obligation and responsibility of the local government.

Issues that are urgent to be examined are as follows:

1. Responsibilities of the Women and Children Empowerment Service
2. Obstacles faced by the Women and Children Empowerment Service
3. The concept of providing child protection
4. Crimes of sexual abuse of children
5. Regulations on child protection
6. Cases of sexual abuse
7. Community responsibilities in child protection

METHODS

This study is qualitative and descriptive using a narrative approach. The research data source is the Samarinda City Women and Children Empowerment Service. The problem focuses on victims of child sexual abuse in the city of Samarinda. The research techniques included observation, in-depth interviews, and documentation. Data analysis techniques was carried out through data reduction, data display, and conclusion.

RESULTS AND DISCUSSION

The Office for the Empowerment of Women and Children is located at Jalan. Milono, No. 1, 75122, Bugis, City of Samarinda, East Kalimantan 76112. To support activities in carrying out their duties, the Women and Children Empowerment Service Office is

equipped with facilities and infrastructure.

In 2021 the Samarinda City Empowerment and Children Service Office has six areas to highlight, namely the fields of advocacy, outreach, studies, and documentation. The prominence of cases of sexual harassment in the city of Samarinda will encourage the second sector to be more active in carrying out its function as an effort to reduce the number of sexual violence. According to advocate figures in Indonesia, including Raden Soewandi, Teuku M. Hasan, Johannes Latuharhary, Ahmad Subardjo, Muhammad Yamin, Maria Ulfah, Abdul Abbas, Soepomo, and R Soeleiman E Koesoema Atmadja, it is important for advocates to advocate for people who are blind to the law. The nine figures are freedom fighters and national fighters.

Advocates have an important and strategic role in their work in fighting for the *rule of Law*. Advocates as an element of law enforcement in criminal justice are one of the pillars of upholding the *rule of law* and human rights. The guarantee of equality before the law is conceptually mentioned in the 1945 Constitution article 27, paragraph 1, which formulates: "All citizens have the same position before the law and government with no exceptions". Therefore, for everyone who needs legal aid (*legal aid*), apart from being a human right, it is also a movement guaranteed by the Constitution.

In general, victims of sexual harassment come from the poor and blind to the law. Therefore, the presence of Advocacy is motivated by these problems, so that the

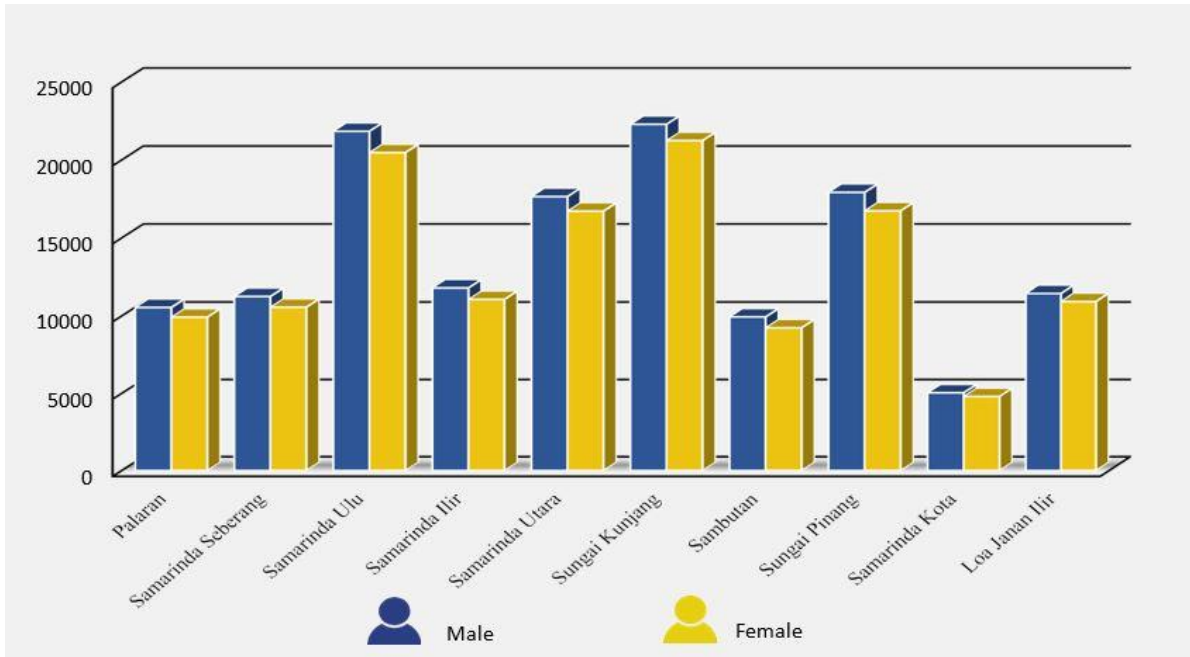
essence of an Advocate is to provide legal assistance to people who are unable and do not understand the ongoing law. In addition, it is also a very important principle that a person affected by a case has the right to obtain legal assistance (*legal assistance principle*), so this is where the position of the Advocate profession in the judiciary in the context of providing legal assistance to the community has a very important meaning for the community.

According to Law Number 18 of 2003, Advocates have a position in the criminal justice system. That means maintaining a balance between the large role of law enforcers, such as the police and prosecutors and the weak condition of suspects/defendants. Figure 1 shows the number of children in Samarinda who are victims of sexual harassment.

Samarinda has 10 sub-districts, namely Palaran sub-district, Samarinda Seberang, Samarinda Ulu, Samarinda Ilir, Samarinda North, Kunjang River, Welcome, Sungai Pinang, Samarinda Kota, and Loa Janan Ilir. The number of boys is 51.48%, and the girl is 48.52% of the total population.

The disaggregated data above can be used as a reference in illustrating that there are more female victims of violence than men, as in the disaggregated data from the gender and child profile book of the 2022 Women and Children Empowerment Service Office. The number of victims of violence based on the age of boys is 65, while the number of the girl victims is 96.

Figure 1. Data of children aged 0-18 years in Samarinda city, Semester II of 2021



Data source: Gender and Children Profile Book 2022 Women and Children Empowerment Service Office

These victims are the responsibility of the government by the principles of the rule of law adopted by the Indonesian nation in social and state life, requiring the role of an Advocate as a profession that is free, independent, and responsible in legal assistance in the context of enforcing criminal law,

in addition to the judiciary and law enforcement agencies such as the Police and the Attorney General's Office.

The list of types of cases faced by the Women and Children Empowerment Service from 2022 to June 2022 is presented in Table 1.

Table 1. Types of cases faced by the Women and Children Empowerment Service from 2022

No	Case	AL	AP	AL+AP
1	-	7	9	16
2	Psychological Violence	5	9	14
3	Sexual Violence	5	14	19
4	Neglect of RT	1	0	1
5	ABH	4	1	5
6	Others	1	1	2
Total		57		

Data source: Gender and Child Profile Book Office of the Women and Children Empowerment Office 2022

The role of an advocate is to fight for human rights; become the guardian of the Constitution and human rights; hold an advocacy oath in the context of upholding the law, justice, and truth; implement the advocate's code of ethics; uphold and uphold the values of justice, truth and morality; protect and maintain the independence, freedom, degree, and dignity of Advocates; maintain and improve the quality of advocacy services to the community by continuing to learn to broaden insights both nationally and internationally; maintain good relations with clients and colleagues; provide legal services, legal advice, legal consultations, legal information, and drafting contracts; defend the client's interests and represent the client before the court (legal representation); provide free legal aid to people who are weak and economically disadvantaged; and advocate for underprivileged people, both at home and abroad, is part of the function and role of an advocate in fighting for human rights.

Based on the data sources that the author obtained through the results of documentation at the Samarinda Women and Children Empowerment Office, it can be seen that the number of cases that came in and received assistance was 57 children consisting of 6 cases and the most reported cases were cases of sexual violence.

Vision and mission

The vision and mission of the Samarinda Women and Children Empowerment Service are as follows:

Vision. Increasing the effectiveness of child protection for the realization of quality, noble and prosperous Indonesian children.

Mission. Disseminating all provisions of laws and regulations relating to child protection

1. Collecting data and information about children
2. Receiving public complaints
3. Conducting studies; monitoring and evaluating the implementation of child protection
4. Supervising the implementation of child protection
5. Supporting the realization of East Kalimantan towards a Child-Friendly City (KLA)

Management Structure

The management structure of the Samarinda Regional Indonesian Child Protection Commission is as follows:

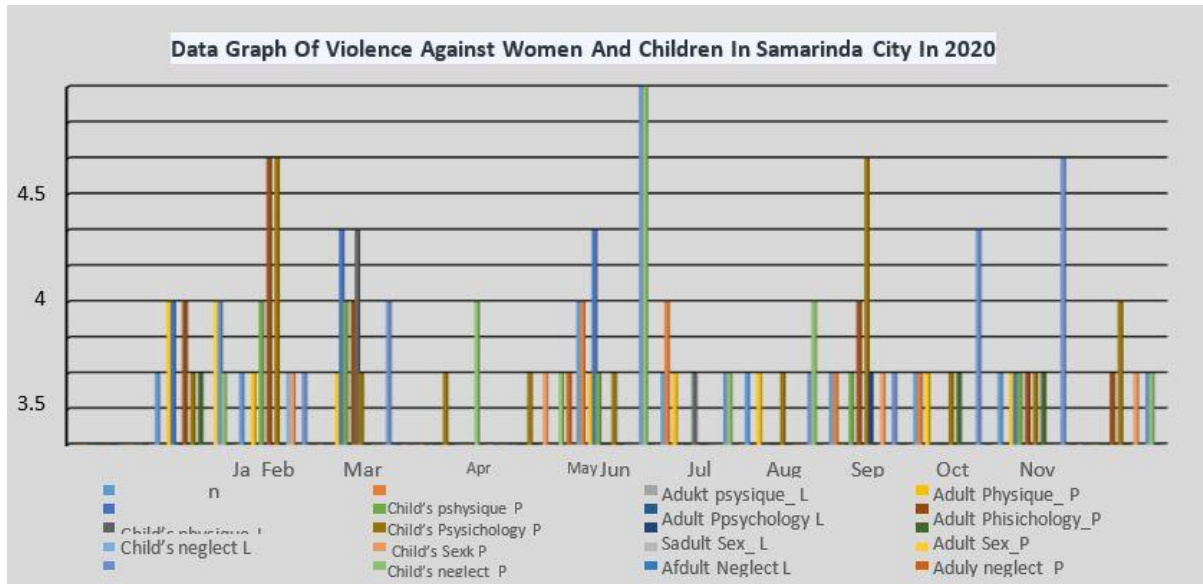
1. Protector/adviser
2. General chairman
3. Daily chairman
4. Vice-chairman
5. Secretary
6. Deputy Secretary
7. Deputy Secretary
8. Treasurer
9. Members

The list of management structures has 5 areas, namely the secretariat, advocacy dissemination of studies and documentation, the field of partnerships, the field of monitoring, evaluation, facilities, and infrastructure as well as the field

of legal aid. Each field has its members.

Figure 2 tells the forms of violence that occurred in Samarinda.

Figure 2. Violence against Women and Children



The number of sexual violence against girls is the highest, reaching 27 victims. The number of violence with the highest number after the number of sexual violence is the level of other types of violence. The number of other types of violence against boys in 2020 was 21. In contrast to adults, in 2020 the number of violence against adult men with the highest number is 1 person, namely at the number of sexual violence. Meanwhile, the number of violence against adult women was the highest, namely at the number of psychological violence, with 12 people. This shows that children are very vulnerable to becoming victims of violence.

A. Physical Violence

1. The number of cases of physical violence against boys in 2020 is 9 people.

2. The number of cases of physical violence against girls in 2020 is 6 people.
3. There is no number of cases of physical violence against adult males in 2020.
4. The number of cases of physical violence against adult women in 2020 is 9 people.

B. Violence

1. The number of cases of psychological violence against boys in 2020 is 9 people.
2. The number of cases of psychological violence against girls in 2020 is 7 people.
3. There is no level of psychological violence against adult males in 2020.
4. The number of cases of psychological violence against

adult women in 2020 is 12 people.

C. Sexual Violence

1. The number of cases of sexual violence against boys in 2020 is 4 people.
2. The number of cases of sexual violence against girls in 2020 is 27 people.
3. The number of cases of sexual violence against adult men in 2020 is 1 person.
4. The number of cases of sexual violence against adult women in 2020 is 3 people.

D. Abandonment

1. Rate of boys in 2020 is 1 person.
2. The neglect rate of girls in 2020 is 4 people.
3. The abandonment rate of adult males in 2020 is nonexistent.
4. The neglect rate of adult women in 2020 is 2 people.

E. Other Violence

1. The number of cases of other violence against boys in 2020 is 21 people.
2. The number of cases of other violence against girls in 2020 is 13 people.
3. There are no cases of other types of violence against adult males in 2020.
4. The number of cases of other types of violence against adult women in 2020 is 1 person.

Based on the data above, it can be concluded that the level of sexual violence against girls in 2020 is the

highest. The level of sexual violence against girls in 2020 is 27 people. The level of violence with the highest number after the number of sexual violence is the number of other types of violence. The number of other violence against boys in 2020 is 21. In contrast to adults, in 2020 the number of violence against adult men with the highest number is 1 person, namely at the number of sexual violence. Meanwhile, the number of violence against adult women was the highest, namely at the number of psychological violence, with 12 people. This shows that children are very vulnerable to becoming victims of violence.

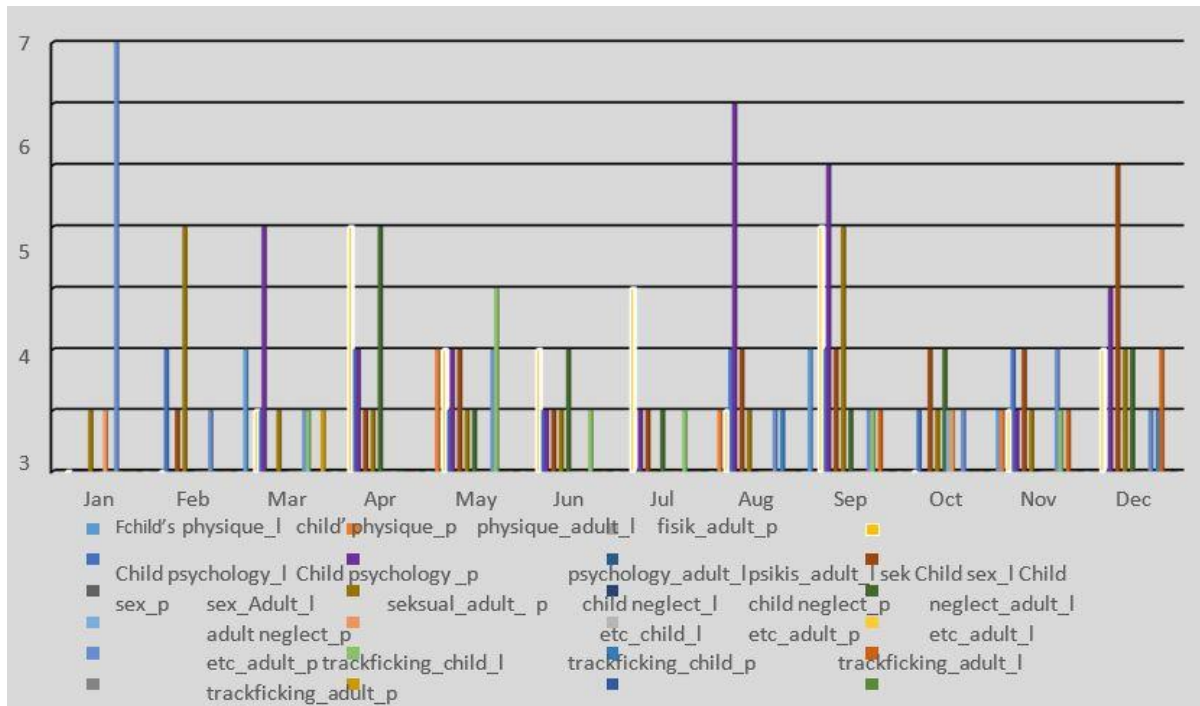
It is different from the violence that occurred in 2021 which was experienced by children, and the types of cases in physical violence, which amounted to 39 victims were children. Figure 3 shows the data from the women's and children's empowerment service in 2022.

The Office for the Empowerment of Women and Children for 2022 is as follows:

A. Physical Violence

1. The number of cases of physical violence against boys in 2021 is 5 people.
2. The number of cases of physical violence against girls in 2021 is 4 people.
3. There was no case of physical violence against adult males in 2021
4. The number of cases of physical violence against adult women in 2021 is 20 people.

Figure 3. Violence against Women and Children



Data source: Profile Book Samarinda 2022

B. Violence

1. The number of cases of psychological violence against boys in 2021 is 14 people.
2. The number of cases of psychological violence against women in 2021 is 25 people.
3. There is no case of psychological violence against adult males in 2021.
4. The number of cases of psychological violence against adult women in 2021 is 19 people.

C. Sexual Violence

1. The rate of sexual violence against boys in 2021 does not exist.
2. The level of sexual violence against girls in 2021 is 18 people.

3. There is no adult male sexual assault rate in 2021.

4. The number of cases of sexual violence against adult women in 2021 is 13 people.

D. Abandonment

1. The rate for boys in 2021 is 1 person.
2. The neglect rate for girls in 2021 is 2 people.
3. The abandonment rate in adult males in 2021 is nonexistent.
4. The abandonment rate in adult women in 2021 is nonexistent.

E. Other Violence

1. The number of cases of other types of violence against boys in 2021 is 17 people.

2. The number of cases of other types of violence against girls in 2021 is 8 people.
3. The number of cases of other types of violence against adult males in 2021 is 2 people.
4. The number of cases of other types violence against adult women in 2021 is 4 people.

F. Trafficking Violence

1. There is no case of violence against boys in 2021.
2. The number of trafficking violence against girls in 2021 is 1 person.
3. There is no case of adult male trafficking violence rate in 2021.
4. There is no case of violence against trafficking in adult women in 2021.

Based on the data above, it can be concluded that the number of cases of psychological violence in 2021 against girls is the highest. The number of cases of psychological violence against girls in 2021 is 25 people. The number of cases of violence with the highest number after the number of cases of sexual violence is the level of physical violence. The number of cases of physical violence against adult women in 2021 is 20 people. The number of cases of other types of violence is the highest level of violence experienced by boys totaling 17 people. Whereas in adult men the highest number of cases of violence is 2 people at other levels of violence. This shows that girls and women are vulnerable to becoming victims of violence.

The numbers of cases of violence in 2020 and 2021 are different. In

2020 the number of cases of sexual violence against girls is the highest. In 2021 the number of cases of psychological violence against girls is the highest. The highest number of victims experiencing both sexual and psychological violence in 2020 and 2021 were girls. This shows that girls are vulnerable to violence.

It is important to design a safe environment for children's growth and development, and therefore, it is important to establish a safe and healthy home as the first *madrasah* for children before entering formal education. However, at home, children are subject to violence by the people closest to them. They should get early education from their parents, and this is where parents become the first teachers before children enter formal education. Not only parents but grandparents, and people who are more mature at home, are also the first teachers. According to Simarmata (2013), the protection of children's lives and livelihoods is still the responsibility of various parties, namely both parents, family, community, and state.

This protection can be in the form of fulfilling the needs of clothing, food, and boards. The protection given to children can be in the form of protection against the psychological condition of the child, namely especially his psychological development so that the child can develop and live normally, not only for physical development but also for mental or psychological development. Family is important, being a place where children initially grow and build their skills to later succeed in the society (Gunarso, et al, 1995: 27)

The responsibility of the government in dealing with sexual violence in children

The focus of responsibility is directed to the Women and Children Empowerment Service that has duties and functions, according to article 76, Law number 23 of 2002 about child protection, of socializing all provisions of laws and regulations relating to the protection of children, collecting data and information, receiving public complaints, conducting studies, monitoring, and evaluating and supervising violations of child protection.

Albert Venn Dicey put forward three main elements of the rule of law, namely (a) supremacy of law, (b) equality before the law, and (c) constitution based on individual rights. Even though there are different backgrounds in the understanding of *rechtsstaat* and the rule of law, it cannot be denied that the presence of the term rule of law or in terms of the 1945 Constitution "state based on law" cannot be separated from the influence of these two concepts.

Efforts to control the state or government from the possibility of acting arbitrarily require the idea of a rule of law or a state based on the law (*rechtsstaat* or *the rule of law*), which contains the principles of the principle of legality, the principle of separation (sharing) of powers, and the principle of judicial power that is independent.

Efforts to enable people to live in harmony, safety, and prosperity are the responsibility of the State (Fernandes, 2014; Tyas & Naibaho, 2020). However, in reality, everything that is desired is not in

line with the actual conditions. As happened in 2021 there has been violence against children, the cases included in the report from the Office for the Empowerment of Women and Children are from January to June 2022. The Office for the Empowerment of Women and Children received 41 cases, of which the most cases were 8 cases regarding child custody, then 7 cases of children dealing with the law, and a further 5 cases of sexual abuse. According to the Women and Children Empowerment Service, there were 8 cases of child custody. This happened because many families experienced divorce in the household, causing parents to fight over custody of their children.

In cases of children in conflict with the law, 7 cases are the responsibility of the Women's and Children's Empowerment Service, which are urgently needed to assist children in conflict with the law. While there were 5 cases of sexual harassment, out which was one case where the perpetrator was his own family, namely the father, and the victims were his 3 children. Children will become more withdrawn, afraid, depressed, and so on, and this will have an impact on the child's psychology so further treatment is needed from the Women and Children Empowerment Service.

Based some of the data obtained, sexual abuse of children occurs by family members themselves such as the victim's parents, the reason for the perpetrators is that other people enjoy it better than me, this is concerning for parents who are expected to be protectors for their children but instead become perpetrators which resulted in the

family can not be a safe place for children.

Seeing cases of sexual harassment which are increasingly worrying, the responsibility of the Women and Children Empowerment Service is very important as the protector of children's rights in Indonesia. This can be proven by the results of monitoring, evaluating, and supervising violations of child protection both in efforts to fulfill the rights of victims (children) when deviations occur cases such as the disclosure of cases of wisdom or rape committed by the family itself. Because in this area, often the victim or the party concerned does not want the case to be prosecuted for the reason that it is a family disgrace.

The finding of the Women and Children Empowerment Service in handling cases of sexual abuse involving family members was that some people considered it a disgrace and should not be exposed when the case was to be resolved. For example, the Women and Children Empowerment Service often visits parties affected by sexual harassment cases, and the family say, 'Never mind. we don't want to be exposed because of the family's disgrace.' However, on the other hand, the Office for the Empowerment of Women and Children often approaches families to continue to fight for and find solutions for children's rights.

Another important aspect of the responsibility of the Women's and Children's Empowerment Service is the need for special handling in dealing with cases involving children, as explained above that both victims and perpetrators when dealing with cases of sexual

harassment must obtain their rights such as assistance, supervision, assistance law, not tortured by the State, e.g. in a case involving a child who is a victim who does not get rehabilitation and so on. For this reason, the responsibility of the Women and Children Empowerment Service in outreaching, monitoring, and supervising the protection of children's rights is very necessary.

Based on the data above, cases of sexual abuse were committed against 3 children at once. Children are the generation and successors of the nation who can develop the potential that exists within them so children's rights should be protected by the State.

The responsibility of the state is to protect children's rights by the preamble of the 1945 Constitution, namely to prosper the people, educate the nation's life, defend and secure and uphold justice. This confirms that the survival of every individual in Indonesia, especially children, gets the protection of rights from the government of Indonesia, including the protection of children's rights which are part of human rights. This is by Kozier Barbara responsibility is the responsibility for behavior expected by other people towards someone according to their position in a system.

Responsibility is the obligation of a person as a rational and free being not to evade and explain his actions, retrospectively or prospectively (Bertens, 1993:133). Based on the above understanding, responsibility is defined as the readiness to provide answers to actions that have been carried out by nurses in the past or

actions that will result in the future (Lenita & Anggraini, 2019). For example, if the nurse deliberately installs contraceptives without the client's consent, it will have an impact on the client's future. Clients will not have children even though having children is the right of all humans. Nurses retrospectively must be able to take responsibility even though the nurse's actions are considered correct according to medical considerations.

Responsibility is influenced by social conditions both from within and from outside and is stable. Responsibility is a form of behavior expected of someone in certain social situations. And also by the responsibilities of the Women and Children's Empowerment Service, the Women's and Children's Empowerment Service has duties and functions according to article 76, Law number 23 of 2002 concerning child protection, namely to socialize all provisions of laws and regulations relating to child protection, collecting data and information, receive public complaints, conduct studies, monitor, evaluate and supervise violations of child protection.

One of the main tasks of the Women and Children Empowerment Service is by article 76, letter an of Law no. 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. The Women and Children Empowerment Service is a state institution that is independent in defending the best interests of the child. Every citizen who cares about the fate of children should protect children both physically, mentally, and economically which ranges from violence to social and legal.

It should be realized that children are also a population group that is vulnerable to violence, neglect, and coercion. One of the duties of the Women's and Children's Empowerment Service is to receive public complaints about violations of children's rights. Plus, to resolve public complaints, the Women and Children Empowerment Service can follow up on handling complaints through services to functional agencies or institutions that are responsible for providing protection, rehabilitation, reintegration, and reunification of children into the living environment of the family and the surrounding community.

In the view of ethics, it is very important to understand the duties of nurses to be able to understand their responsibilities. Nurses need to understand the concept of basic human needs. One of the most well-known concepts of basic needs according to Maslow is the concept of basic human needs according to Abraham Maslow. Based on the concept of basic needs, nurses hold responsibility for meeting the basic needs of clients.

An example of responsibility when caring for a fractured client is that the nurse not only fulfills the need for rest, comfort, and avoidance of pain (sleep and comfort need), but views the client as a whole being that has an impact on psychological disorders such as anxiety, fear, sadness, alienation as a result of fractures, or social problems such as (unable to work, missing family, separated from friends to spiritual problems such as prejudice against God, refusal to pray and feelings of guilt.

Obstacles of the Empowerment in Samarinda

The Women's Empowerment Service and Children are tasked with independently considering children so that they are free from influence or intervention from other interests beyond the best interests of the child. The provisions intended are stated in Article 74 of the Child Protection Act. The Women and Children Empowerment Service can be inconsistent and in line with various options including policies executive, legislative, or judiciary in dividing interests and protecting children's rights. After conducting research, the authors found the obstacles to the Women and Children Empowerment Service, including the following:

1. Not having public means of transportation.

The location is far, and there are complaints from the public to the Women and Children Empowerment Service, coming to the location or place where the victim, to use a motorcycle. This is considered an obstacle because the performance of the Women and Children Empowerment Office will not be optimal. After all, if there are victims who are to be picked up while the officers only use motorbikes, it will be a problem so the Women and Children Empowerment Office must have a car as a support for their service.

2. Insufficient coordination with related partner institutions, both government and non-government

Another obstacle that has become an inhibiting factor for the

Women and Children Empowerment Service is the lack of coordination with related partner institutions, both government and non-government. The partner here is the Empowerment Agency of Samarinda City Society and Women, Samarinda's City Health Office, Samarinda's City Education Office, and Samarinda's City Social Welfare Service. Therefore, there needs to be good coordination between institutions to work together to help and protect children's rights.

Efforts made by the Empowerment in handling cases of sexual abuse crimes in children

From the results of the author's research there are 2 efforts by the Empowerment Women and Children handling cases of crimes of sexual abuse against children including the following:

1. Coordination with the prosecutor's office and the police

In every case of sexual abuse involving children the Women's and Children's Empowerment Service coordinates with the prosecutor's office and the police to assist children in assisting them during the trial process because it involves protecting their rights because one of the duties of the Empowerment is to protect children's rights as stipulated in the 1945 Constitution Article 28 B (2), which states that "Every child has the right to survival, growth and development, and the right to protection from violence and discrimination". Thus, the Office for the Empowerment of Women and Children must be expected

that the prosecutor and the police work together to help protect children.

As we know, children are the next generation who will determine the future of the nation as a whole. The urgency of protecting children's rights to grow and develop according to their gifts and abilities must be protected. Therefore, all forms that can disturb or damage children, including worldly violence, discrimination, and exploitation, must be eradicated without exception.

2. Rehabilitation

If acts of sexual abuse of children occur, the Empowerment tasked with providing supervision is not in charge of solving problems so the Women and Children Empowerment Service is passively responsible, meaning that as long as the child is in a case of sexual abuse, the Women and Children Empowerment Service commits assistance and supervision as well as looking for the best solution such as rehabilitation for children who experience cases of sexual abuse.

Articles 28I (4) and (5) state that the protection, promotion, enforcement, and fulfillment of human rights is the responsibility of the country, especially the government, and to uphold and protect human rights by the principles of a democratic rule of law, the exercise of human rights are guaranteed, regulated, and outlined in laws and regulations. Constitutional responsibility that must be carried out by the state, in this case the government, is to

carry out efforts to promote human rights (Arquisola & Walid Ahlisa, 2019).

Some of the efforts made by the Women and Children Empowerment Service in dealing with cases of sexual abuse crimes in children aim to create happiness for children. As children are still at a stage of physical and mental growth and development, they require attention from the environment. Moving on from an environmental approach, children will have characters that shape the personalities better. They also need security, protection against danger, threats, and guarantees of security. Behaviors that create uncertainty related to continuing work or that reflect attitudes and differences, and unexpected administrative policies will be a powerful motivator in terms of feeling safe at every stage of the employment relationship.

According to John Locke in the Tabularasa theory, what makes a child good or bad is strongly influenced by the child's environment. Therefore, there is a need for synergy with parents or the community, schools, and the government to knit well together for the generation of a nation that is healthy, strong, resilient, and with character (Sahlén et al., 2020).

CONCLUSION

The responsibilities of the government through the Women and Children Empowerment Service are as follows: conducting outreach, collecting data and information, carrying out public complaints,

conducting research, monitoring, evaluating, and supervising. This can be seen in Law no. 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection that the Women and Children Empowerment Service functions and is tasked with: disseminating all provisions of laws and regulations relating to child protection, collecting data, receiving public complaints, conducting reviews, monitoring, evaluating and supervising violations of child protection.

Efforts to encourage interested parties such as the government, policymakers, law enforcement officials, parents, or the community to be able to influence through improving regulations, and outreach to all Indonesian people that the interests of a child's development must still be maintained.

Some of the obstacles experienced by the Women and Children's Empowerment Service

while carrying out their duties are as follows: a) not having public transportation and b) coordination with related partner institutions, both government, and non-government.

Based on the responsibilities and obstacles of the Women's and Children's Empowerment Service in dealing with cases of sexual abuse in children, the authors found several important points that need to be observed. By their duties, in this context, their task is to deal with cases of sexual harassment, the Women and Children Empowerment Office has collected data, received information, received public complaints, conducted reviews, monitored and supervised. Next, the efforts that have been made by the Women and Children Empowerment Services include the following: a) coordination with the prosecutor's office and the police and b) rehabilitation.

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