

Efforts Of Women's And Children's Services Unit In Solving The Crime Of Sexual Abuse Committed By Minors

La Gurusi^{1*}

¹ Law Faculty, Muhammadiyah Buton University, Indonesian

*Correspondence: laqurusi7@gmail.com

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ABSTRACT

Law Number 11 of 2012 concerning the Juvenile Criminal Justice System or what is otherwise referred to as the SPPA Law, through the SPPA Law aims to meet the needs of criminal law policies, namely as a form of legal renewal of the juvenile justice system in Indonesia. This research aims to look at the efforts of Women's and Children's Services Unit in solving the crime of sexual abuse committed by minors. This research applied empirical juridical research with the research location in the Women's and Children's Services Unit. The author in this research conducts initial data collection to obtain data or collect various data, facts and information needed. Based on the result, there was an increase in criminal cases from 2020, (4 cases) (1 case) resolved through the diversion process, in 2021 the number of cases increased to 7 cases with 2 cases resolved through diversion and restorative justice and in 2021 until December 31 the number of cases according to 5 cases and up to stage II. From the interview data obtained that children are not only victims but also perpetrators of almost all types of criminal acts. After the author conducted a deeper elaboration from the UPPA investigator of Buton Police, the fact that children become perpetrators of criminal acts is influenced by the surrounding environment, there are no examples of good character from the figures in the house and the indifference shown both in the family environment and the wider environment.

Keywords: Crime, Sexual Abuse, Minors

1. Introduction

Indonesia in recent years has seen an increase in child crimes, if we look at various mass media lately, they always report or broadcast crimes committed by children to other people and children as victims in these crimes.

One form of protection for children as perpetrators of criminal acts is by establishing the Women and Children Service Unit, which was formed based on National Police Chief Regulation Number 10 of 2007 concerning the Organization and Work Structure of the Women and Children Service Unit within the National Police. Based on this Law, the Women and Children Service Unit, hereinafter abbreviated as UPPA, is a unit tasked with providing services, in the form of protection for women and children who are victims of crime and law enforcement against the perpetrators (Prakoto, 2016). Therefore, if a child commits a criminal offense, he must be treated specifically according to the Child Protection Law, one of which is by using Law No. 11 of 2012 concerning the Child Criminal Justice System, that in handling children's cases must prioritize a Restorative justice approach, in this case the investigation of child crimes from the police is the PPA Unit.

Children with all forms of criminal offenses or crimes as victims may also be perpetrators of crime. Crimes or crimes that occur to children will have a negative impact on children who will become more aggressive, phobic (fear), experience insomnia, depression, and low self-confidence (Salam, 2020). Even their academic performance will decrease; they will not have the ability to adapt and will find it difficult to empathize. Ultimately, children who have experienced violence will create offenders with criminal behavior.

Although children with criminal behavior or as perpetrators of criminal acts, they are still children, they have their own characteristics that must be treated differently (special) must still be considered for their rights, their future lives, and must also consider the best for the child (Prakoso, 2016). Therefore, the author is encouraged to conduct research on how the role of the Women's and Children's Service Unit (UPPA) in handling cases of juvenile crime, thus encouraging the author to propose the title "Efforts of the Women's and Children's

Service Unit (UPPA) in Resolving the Crime of Sexual Abuse committed by Minors". Based on the background of the problem above, the author formulates several problems that will be researched and discussed, namely as follows:

How is the effort of UPPA (Women's and Children's Services Unit) on cases of criminal acts of sexual abuse committed by minors at Buton District Police.

What are the inhibiting factors of UPPA (Women's and Children's Services Unit) against cases of sexual abuse committed by minors at Buton District Police.

2. Research Methodology

This research applied empirical juridical research with the research location in the Women's and Children's Services Unit. The author in this research conducts initial data collection to obtain data or collect various data, facts and information needed. The data obtained must have a relevant relationship with the problem being studied, so that it has qualifications as a proportional scientific writing system. Then, using Interview techniques and Study of legal documentation related to the problem under study. Data obtained through research activities both primary and secondary are analyzed qualitatively and then presented descriptively analytically.

3. Results and Discussions

3.1 Women's and Children's Services Unit (UPPA)

Child crimes involving children as victims and perpetrators (child delinquency) continue to increase, to deal with this problem, based on KAPOLRI Regulation No. 10 of 2007 concerning Organization and Work Procedures, a unit was formed in charge of providing services, protection of women and children (Annisa, 2016). The Women's and Children Service Unit (PPA Unit) is a unit tasked with providing services in the form of protection for women and children who are victims of crime and law enforcement against women and children who are perpetrators of criminal acts. The Women and Children Protection Unit is located under the Police Criminal Investigation Unit and has the task of providing services in the form of protection for women and children who are victims of crime/violence and law enforcement against the perpetrators, in carrying out its duties the Women and Children Protection Unit carries out functions:

1. Implementation of services and protection
2. Implementation and investigation of criminal acts
3. Organizing cooperation and coordination with related agencies

The Women and Children Protection Unit (UPPA) is headed by the Head of the PPA Unit who oversees 2 Panit (Unit Officers) namely Panit Protection (lindung) and Panit Investigation (idik). According to KAPOLRI regulation No. 10 of 2007 article 6 paragraph 4 states that the main task of the PPA Unit is to investigate criminal acts against women and children which include: Human Trafficking

1. People Smuggling
2. Violence (general and domestic)
3. Immorality (rape, harassment, obscenity)
4. Vice (Gambling and Prostitution)
5. Illegal Adoption
6. Pornography and Pornoaction.
7. Money laundering of the proceeds of the aforementioned crimes
8. Child protection issues (as victim/suspect)
9. Protection of victims, witnesses, family and friends
10. Other cases where the perpetrators are women and children.

The Women and Child Protection Unit (UPPA), one of its authorities, is an institution responsible for upholding the law and is required to play an active role in supporting the realization of protection and overcoming criminal acts of violence against children (Kartono, 1985). This authority is contained in Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection. The effect of the authority possessed by the investigator of the Women and Children Protection Unit of the Buton Police must be able to quickly resolve, overcome and enforce criminal acts against children as victims and children as perpetrators.

The rise of child crimes and the increasingly vigorous efforts to protect children have brought a new paradigm that violence against children has become a state problem and a public problem. Thus, the implementers of child protection include not only the government, but also the community, including community institutions and the importance of legal awareness in the community against acts of violence against children. With the existence of law enforcement officials in this case the Women and Child Protection Unit supported by this Law, it is hoped that all forms of discrimination and violence against children can be minimized (Moch, 1981).

The Women's and Children's Service Unit (UPPA) of Buton Police is described by the author as having improved the quality of their performance. Although citizen complaints are also increasing (Prakoto, 2016). Currently UPPA Polresta Buton is conducting an MOU (Momerandum Of Understanding) or cooperation with the government through the Buton Regency Integrated Empowerment Center for the Protection of Women and Children (PP2TP2A) as a step to reduce the crime of women and children in Buton Regency.

The author during the research obtained some supporting data both quantitative and qualitative, including;

Tabel 1. Data on Juvenile Crimes in 2020

Type of Crime	Number of Crimes Handled	Crime Process Phase II	RJ/ DIVERSION
Minor commits obscenity	4	3	1

Data Source: Polres Buton UPPA 2020

Tabel 2. Data on Juvenile Crime in 2021

Type of Crime	Number of Crimes Handled	Crime Process Phase II	RJ/ DIVERSION
Minors commits obscenity	7	5	2

Data Source: Polres Buton UPPA Tahun 2021

Tabel 3. Data Tindak Pidana Anak Tahun 2022

Type of Crime	Number of Crimes Handled	Crime Process Phase II	RJ/ DIVERSION
Minors commits obscenity	5	5	0

Data Source : Polres Buton UPPA Tahun 2022

Based on the table above, Al Muhalis, Head of the Women's and Children's Services Unit (PPA) explained that. "There was an increase in criminal cases from 2020, (4 cases) (1 case) resolved through the diversion process, in 2021 the number of cases increased to 7 cases with 2 cases resolved through diversion and restorative justice and in 2021 until December 31 the number of cases according to 5 cases and up to stage II ". (Interview, December 31, 2022)

From the interview data obtained that children are not only victims but also perpetrators of almost all types of criminal acts. After the author conducted a deeper elaboration from the UPPA investigator of Buton Police, the fact that children become perpetrators of criminal acts is influenced by the surrounding environment, there are no examples of good character from the figures in the house and the indifference shown both in the family environment and the wider environment (Lampatta, 2017).

Child protection efforts are the efforts of every member of society with their respective abilities with various kinds of efforts and certain conditions carried out to ensure that children in good condition can carry out their rights and obligations for the reasonable development and growth of children both physically, mentally and socially. Child protection is the realization of justice in a society, thus child protection is sought in various fields of state and social life.

3.2. Efforts of Women's and Children Services Unit

The role of the PPA Unit in handling juvenile crimes, the Police in this case the Buton Police took the necessary actions to handle juvenile crimes as follows:

Investigation; According to the Criminal Procedure Code (KUHP) Article 1 point 5, investigation is: "A series of actions by investigators to search for and determine an event suspected of being a criminal offense in order to determine whether or not an investigation can be carried out according to the method regulated by this law investigation according to the method regulated in this law."

1. Inquiry; after the investigation, the next step is to conduct an inquiry. According to KUHP Article 1 point 2, an inquiry is "A series of investigator's actions in terms of and according to regulated by this law to seek and collect evidence with which to make light of the criminal offense that occurred and to find the suspect evidence that makes light of the criminal offense that occurred and in order to find the suspect."
2. Collection of evidence; In order to collect evidence investigators usually search and seizure of evidence. The search itself is divided into two, namely house searches and body searches.

Al Muhalis as the head of Women's and Children's Service Unit (UPPA) of Buton Police said. "the role that must be carried out by an investigator is not only investigation, Inquiry, and collection of evidence but also coaching; Children who are still minors when asked for information related to the case they are doing feel scared as a result of that the investigator conducts special coaching so that the perpetrator can be asked for information" (interview December 31, 2018).

The handling of criminal offenses according to Article 15 paragraph (1) of Law Number 2 of 2002 concerning the Indonesian National Police (POLRI), the authority of POLRI in general is:

- a. Receive reports and/or complaints;
- b. Assist in resolving community disputes that may disturb public order;
- c. Preventing and overcoming the growth of community diseases;
- d. Supervising streams that can cause division or threaten national unity and integrity;
- e. Issuing police regulations within the scope of police administrative authority;
- f. Carry out special examinations as part of police actions in the context of prevention;
- g. Taking the first action at the scene;
- h. Taking fingerprints and other identities and photographing a person;
- i. Search for information and evidence;
- j. Organizing a national criminal information center;
- k. Issuing licenses and/or certificates required in the context of community services;
- l. Providing security assistance in the trial and implementation of court decisions of other agencies' activities, as well as community activities;
- m. Receive and temporarily store found items.

3.3. The Barriers of Investigators in Women's and Children's Services Units

The research process carried out by the author to obtain accurate and reliable data is conducted by visiting the research location in this case making a direct visit to the Buton Police by interviewing the Head Unit and Staff of the Women's and Children's Services Unit (UPPA) (Elmayanti, Deliana, & R, 2021).

Some Investigators from the information obtained, the reasons why there have been obstacles in handling cases of minors are:

- a. Most child offenders are over 14 years old, this is in line with Article 21 of Law Number 11 of 2012 that children who are not yet 12 years old who commit or are suspected of committing a criminal offense investigators, community supervisors and professional social workers make the decision to hand back to parents, include in education, coaching and mentoring programs at government agencies or LPKS at agencies in charge of social welfare both at the central and regional levels.
- b. The victim is pregnant; the victim's parents do not want to resolve the criminal case because it is considered a disgrace to the family.
- c. Feeling of fear, minors as perpetrators of the crime of sexual abuse who are then asked for information related to the behavior of the crime committed experience fear so that it takes time and special guidance to children so that they can be asked for information for the BAP. This is also what greatly hinders the questioning.
- d. The perpetrator escapes "There are indeed obstacles in handling children's cases, especially when the perpetrators are minors, resulting in various obstacles which are very concerning, including fear when asked for information so that it takes a certain amount of time because it requires special guidance so that they can be asked for information. It is not only the victim who must get guidance but also the perpetrator must get guidance so that the bad things that have been done do not happen again "(said Mrs. Sarini, one of the investigators in Women's and Children Service Unit) (interview December 31, 2022).

Anyone can come into conflict with the law, including minors. When children are in conflict with the law and come into contact with the juvenile criminal justice system, some people believe that they are criminals (Ariani, Yuliarti, & Mangku, 2019). The products issued by the criminal justice system only produce new criminals with new skills. Therefore, it is necessary to provide protection to children in conflict with the law. This is done not only for the benefit of the child, but in the unity of a broad social system, children are part of and become the next generation in society. So that children should be given a good upbringing, recognize religion early, manners and ethics are taught early at home.

4. Conclusion

The results of the research and discussion in the previous chapters can be concluded in several ways including

1. The efforts of the PPA unit in handling child crimes, the police in this case the Buton District Police take the necessary actions to handle child crimes including investigations, investigations, collecting evidence and providing guidance.
2. Factors that can influence children to commit criminal acts of sexual abuse include; promiscuity, technology, lack of parental supervision, perpetrators under the influence of alcohol, and poor environment.

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