



## Assistance in Underage Abuse Case at Klaten Police

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### ARTICLE INFO

*Keywords:* Sexual Harassment, Sexual Assault, Children Protection Rights

*Received :* 17, May

*Revised :* 23, June

*Accepted:* 22, July

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### ABSTRACT

The abuse of minors is a serious crime that violates children's rights and has long-term impacts on the physical, emotional, and psychological well-being of victims. Legal protection for children who are victims of abuse requires an approach that focuses on protecting children and their recovery. This study aims to explore the practice of accompanying cases of sexual abuse of minors at the Klaten Police Department and to analyze the effectiveness of assistance in the criminal justice system. The research method used is an advocacy method with a focus on legal assistance. Assistance is carried out during the examination process, from consultation to assistance in making reports to the police. This research is expected to contribute to the development of policies and practices for better assistance in cases of sexual abuse of minors.

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## **INTRODUCTION**

The abuse of minors is a serious crime that violates children's rights and has long-term impacts on the physical, emotional and psychological well-being of victims. It is very unfortunate if children become victims of sexual abuse because children are a gift, a mandate and a gift given by Allah SWT who is also the next generation of the nation and state of Indonesia in the future. Child is someone who is not yet 18 (eighteen) years old<sup>1</sup>

Who do not yet have physical and mental maturity so that they need to get protection in obtaining their rights so that they can live, grow and develop optimally in accordance with human dignity. Protecting children is not only the obligation of parents but society is also responsible for child protection. Efforts to protect the law for children cover various freedoms and human rights of children. This protection also involves interests related to child welfare. The responsibilities of law enforcement officials in the protection of children in conflict with the law (ABH) include children as perpetrators, victims and witnesses.<sup>2</sup>

Cases of sexual abuse with victims of minors require an approach that focuses on protecting children as victims and also on their recovery<sup>3</sup>. The Klaten Police as a law enforcement agency in the Klaten area, has a role in receiving reports/complaints, conducting investigations and investigations of all criminal acts in accordance with the criminal procedure law and other laws and regulations<sup>4</sup>.

In handling this case, it is hoped that the Klaten Police can properly protect children's rights and ensure children's justice before the law. Assistance in cases of sexual abuse of minors at the Klaten Police Station involves various aspects, but this service activity will focus on legal assistance. The main purpose of this assistance is to provide adequate protection to victims, ensure the participation of victims in the judicial process, and support the victim's overall recovery. This service will explore the practice of assisting cases of sexual abuse of minors at the Klaten Police. This service will involve collecting data regarding legal facts, the successes achieved, and the obstacles encountered in the assistance process. Through the analysis of this data, this service aims to provide knowledge about assisting cases of sexual abuse of minors at the Klaten Police.

The results of this dedication are expected to make a significant contribution to the development of policies and practices of better assistance in cases of sexual abuse of minors. By increasing understanding of the importance of assistance and increasing the capacity of law enforcement officials and related professionals, it is hoped that a safer environment and better protection will be created for children who are victims of sexual abuse in the Klaten Police area.

## **IMPLEMENTATION AND METHODS**

This service uses the advocacy method, namely assistance during the examination starting from the beginning, namely providing consultations to clients to assisting in obtaining information regarding the development of reports at the Klaten Police Station. The first assistance begins with the client

telling the chronology from beginning to end to the service team consisting of lawyers and paralegals, so that the lawyer can understand what problems and cases are going on with his client. After an analysis of the problems faced by the client, a power of attorney is signed for the service team. The client's next assistance is to follow up on client reports to find out the progress of the investigation at the Klaten Police. This mentoring activity will be adjusted to the conditions that occur in the mentoring location. Assistance activities for this client can be seen in Table 1.

## **RESULTS AND DISCUSSION**

This assistance began in March 2023 and is still ongoing. The following are the results that we can report regarding assistance with reporting criminal acts of obscenity with victims of underage children at the Klaten Police Station.

### **1. Consultation**

This activity was held in March 2023 at the Office of the Legal Aid and Consultation Agency (BKBH) of the UMS Law Faculty from 09.00 to 11.00. This consultation is a method used in understanding client case problems to interested parties. The material discussed includes the chronology of the beginning of the client's problem which was conveyed directly to the advocate. This consultation ends with an agreement between the client and the lawyer by signing a power of attorney. Furthermore, the explanation of the legal steps that must be taken by the Advocate to the client concerned. The legal steps that must be taken are asking the progress of the report to the authorities, namely the Klaten resort police. This activity went smoothly without any problems.

### **2. Client Assistance at Klaten Polres**

This activity was carried out in May 2023. The activity carried out was assisting clients to follow up on reports to the Police by sending letters regarding requests for report information, then followed up by coming in person at the Klaten Police Station. At the police office the service team asked for information regarding the progress of the report to investigators at the PPA unit where it was found that the police had clarified the perpetrator and a post-mortem examination and psychiatric test had been carried out for the victim. From the client and investigator information it is known that the chronology of this case is as follows:

The client is the father of the victim who is a 5 (five) year old daughter. The victim lives with his father, mother and two half brothers. The client feels that her child has been molested by one of her half-brothers, because when she bathes her daughter there is a wound in the vagina and her child still feels pain. The client reported his stepbrother because at that time the victim was sleeping with his mother and stepbrother. The client guessed that the wound was caused by his half-sister inserting a finger into the victim's vagina while he was sleeping.

Table 1. Client Support Activities

Priority Issues	Activity Program
Clients need an understanding of the legal events that are being experienced by their children as victims of sexual abuse	Provide education, information, and assistance for the next step, namely a police report for criminal acts of obscenity
Clients need assistance when asking about the progress of reports related to criminal acts of sexual abuse	Provide assistance to clients when asking for progress reports to the Klaten Police
Clients get the rights they should get.	Providing client assistance during examinations at the Klaten Police



Picture 1. Assistance Related to the Development of Investigation Results

The results of the latest developments in May 2023 regarding a client report that was carried out previously at the Klaten Police. One of the steps taken by investigators from the Klaten Resort Police in obtaining evidence of the existence of a crime of sexual violence against children is to carry out a post-mortem examination. Visum Et Repertum is a written statement made by a doctor in the process of upholding law and justice. The aim is to present a plan (verslag) from a forensic doctor which contains information that is seen and stated objectively during the examination. Visum Et Repertum functions as a substitute for the events that occurred and becomes evidence that can replace the evidence that has been examined. This document includes all relevant facts to draw conclusions. The police rely heavily on Visum Et Repertum in the

process of investigating criminal acts, especially in cases such as murder, sexual violence, crime of negligence, and so on<sup>5</sup>.

The results of the post mortem et repertum on the victim stated that there was a tear but it is not known whether the tear was an injury caused by the friction of a finger inserted into the victim's vagina or another blunt object. Furthermore, the investigators examined the witnesses, namely the victim's father and the victim's mother. Regarding the crime of sexual abuse, it is rare for witnesses to see or know about criminal acts of sexual abuse, because it is usually carried out in a quiet place and is not known to other people and maybe only the victim and the suspect know. The witness will then be examined without pressure from anyone and the witness must provide information that he truly knows<sup>5</sup>.

Then the investigator examined the alleged perpetrator of the crime of sexual abuse, which in this case was the victim's half brother. Examination of the perpetrators of sexual abuse has the objective of determining the truth of the actions committed by the suspect. If the results of the examination indicate that there are elements of a criminal act in the reported act, then an examination in accordance with the criminal procedure law can be carried out from the time the report is received<sup>6</sup>. Furthermore, the investigator will record the information provided by the perpetrator in the BAP (Examination Document) in full according to what has been submitted<sup>7</sup>.

Determination of a person as a suspect in law must pay attention to details and not only depend on the report of the reporter. The process must be in accordance with the provisions of the Criminal Procedure Code which involve searching for evidence and witnesses related to the case. It is important to avoid mistakes in assigning suspect status because unclear legal uncertainty can cause significant harm to the individual concerned. Therefore, the determination of suspect status must be carried out with clear legal certainty<sup>8</sup>.

Investigations will continue in cases where the suspect has not been found and sufficient evidence has not been provided. This investigation will continue indefinitely. During the investigation and investigation process, the reporter will be notified of the developments that have occurred through the Notification Letter on the Progress of Investigation Results (SP2HP)<sup>9</sup>.

In this case there were several obstacles, namely the victim lived with her mother and half-brother, this made it difficult for the police to dig up real information and consider the victim's psychology. However, the police will act professionally by continuing to carry out investigations taking into account the results of post-mortem examinations and other evidence to provide protection to victims. In this case, the service team hopes that the Klaten Police can be swift in identifying suspects and protecting the rights of victims, bearing in mind that the victim is still under the age of 5 (five) years because the child's future is still long and the child's vulnerable position leaves a deep traumatic effect on the victim. Victims of sexual violence can experience stress due to the traumatic experiences they experienced during the incident. Stress and trauma disorders experienced by victims of sexual violence can include anxiety syndromes of autonomic lability, emotional instability, and recurrent flashbacks

of experiences that were both physically and emotionally horrific. This disorder exceeds the limits of endurance commonly experienced by individuals in general and is known as Post Traumatic Stress Disorder (PTSD)<sup>10</sup>.

## **CONCLUSIONS AND RECOMMENDATIONS**

All client assistance program activities have been carried out properly. Activities ranging from Consultation to Client Assistance at the Police take place from March 2023 to May 2023. However, the progress of the report has yet to be determined.

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