UNIVERSITAS BHAYANGKARA JAKARTA RAYA
FAKULTAS HUKUM
Kampus I : Jl. Harsono RM No. 67 Ragunan Pasar Minggu, Jakarta Selatan 12140
Tlp: 021. 7231948 7267655 Fax: 7267657
Kampus II : Jl. Perjuangan Raya Marga Mulya Bekasi Utara Telp: 021. 88955882

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Menimbang : Sehubungan dengan kegiatan pelaksanaan penelitian Dosen Tetap pada Prodi Ilmu Hukum Fakultas Hukum Universitas Bhayangkara Jakarta Raya, maka dipandang perlu mengeluarkan Surat Tugas.

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1. Undang-Undang No. 20 Tahun 2003 Tentang Sistem Pendidikan Nasional.
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3. Undang-Undang No. 12 Tahun 2012 Tentang Pendidikan Tinggi.
4. Undang-Undang No. 49 Tahun 2014 Tentang Standar Nasional Pendidikan Tinggi.
5. Program Kerja Fakultas Hukum Universitas Bhayangkara Jakarta Raya Tahun Akademik 2019-2020.
6. Kalender Akademik Universitas Bhayangkara Jakarta Raya T.A. 2019/2020.

MENUGASKAN :

Kepada : Nama : **FRANSISKA NOVITA ELEANORA, SH, M.Hum**
NIDN : 0313047703

Untuk :
1. Melaksanakan tugas penelitian Dosen pada Prodi Ilmu Hukum Fakultas Hukum Semester Ganjil Tahun Akademik 2019-2020 dengan judul "**Role and Function of Indonesian Child Protection Commission in Providing Against Victims of Violence in the Street**"
2. Kegiatan penelitian dilaksanakan sejak tanggal dikeluarkannya Surat Tugas ini.
3. Melaporkan hasil kegiatan penelitian kepada Dekan Fakultas Hukum.
4. Melaksanakan tugas ini dengan penuh tanggung jawab.

Selesai.

Ditetapkan di : Bekasi
Pada tanggal : 08 Agustus 2019
Dekan Fakultas Hukum

Dr. Slamet Pribadi, SH, MH
NIP. 1901381

Tembusan:
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Role and Function of Indonesian Child Protection Commission in Providing Against Victims of Violence in the Street

Fransiska Novita Eleanora* and Andang Sari
Law Faculty of the University of Bhayangkara Jakarta Raya
vita_eleanor@yahoo.com

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Abstract
The law of child protection is very important and determines the future of family, community, nation and state formation. If a country's child protection law is formulated, ratified, and enforced concretely in terms of substance, structure and culture applied consistently and continuously, then the position of the child both in family, community and nation will become a very strong pillar and foundation. for a country to achieve its objectives nationally independent. Improper treatment or discrimination is the duty and responsibility of guardians or other parties and their parents. Getting the right opportunity to protect and grow socially, physically, and even spiritually is absolutely given because the future leaders of the nation and the next generation will be able to fight for the nation and its ideals. Eliminating discrimination requires equality in all aspects of the field because it involves the same views and opportunities where women and men have equal access and opportunities, equality of views does not mean women must be equal to men, because women are naturally different from men. Because children are the generation and successors of the nation, the Government forms an independent institution whose task is to shade and provide protection or supervision of children who are victims of crime, namely the Indonesian Child Protection Commission (KPAI) providing data reporting and assisting these children to obtain rehabilitation or recovery related to their rights.

Keywords: Children; protection; victims; violence

INTRODUCTION
Indonesia as an independent and sovereign country highly upholds humanity and social justice in accordance with the 1945 Constitution, human beings and their human rights that aim to realize a just and prosperous society and no difference between one another. All have the right to get their rights and complete protection as citizens. Protection, security and peace should be given to every human being without exception also to persons with disabilities, even children who get violence or who are victims on the streets. The meaning of children according to article 1 of the law concerning child protection in 2014 number 35 is not even a person at the maximum age of 18 (eighteen) years, and also included in this category children who are still in the mother's womb. And later it will continue the struggle of the nation and especially for its growth and development. Therefore it needs to be given an emphasis on the position of children as human beings who have dominant rights in themselves (Djamil, 2018).

Children who are human beings are fully attached to their dignity and dignity and the grace and mandate of God Almighty. Every child who is born into the world must be held up high, respected and respected for the existence of dignity and dignity without having to be asked by the child concerned. This provision is in accordance with the Convention on the

Rights of the Child which has been ratified by Indonesia, namely the Government based on the 1990 Act number 36 concerning Presidential Decree which states children and their protection along with general principles, namely non-discrimination, the best interests of the children, their participation is valued, growing and developing along with life and continuity. These principles are also contained in the provisions of the Law of 2014 Number 35 which is concerning the Law and its amendments in 2002 Number 23 with the title Child Protection established by the government so that children's rights can be implemented in Indonesia.

Whereas Article 1 paragraph 2 of the Law on Child Protection states that protection of children includes comprehensive activities carried out to guarantee and or protect children's rights to be able to live, develop, grow optimally and always participate so that all actions in the form of discrimination, mistreatment such as violence, exploitation and neglect of children, which must be guaranteed the continuity of life in a reasonable manner both mentally (Gultom, 2008), socially and physically, based on noble dignity and the dignity of protection. Providing protection is not solely the responsibility of individuals personally from their parents, the state, society, but also social institutions that can provide comprehensive protection to children, especially street children who make a living to earn money by conducting a series of activities to maintain his life (Sprang & Cole, 2018), even not infrequently get violence and improper treatment, this needs to get the attention of all elements and society (Kamil, 2008). The phenomenon that occurs is a very real picture that gives fulfillment of children's rights very far from what is expected. Situations and conditions of children who should learn and study but must be forced to work on the streets as buskers, beggars or beggars, which eliminates their rights that should be obtained.

The essence of article 34 of the 1945 Constitution states that the poor and neglected children are cared for by the state, meaning that the government has responsibility for the development of neglected children. This makes it a concern not only by the government, but also by protection institutions that are very enthusiastic and concerned about fighting for children's rights, one of these institutions is the Indonesian Child Protection Commission (KPAI), where its formation is based on Presidential Decrees No. 27 of 2003 which provides effective child protection Even recorded in the last 7 (seven) years from the data of KPAI there have been 26,954 cases of violence against children based on 9 (nine) clusters, 3 (three) clusters of which are the highest cases, where the case is the case of dealing with children with the law in other words child perpetrators, family cases and alternative care for victims of divorce, as well as cases of pornography and cybercrime, both as victims and as perpetrators. At present the KPAI conducts and makes or forms a Task Force (task force) concerning the protection of children at the RT / RW level. The task force is expected to be able to prevent falling victims of children who are vulnerable to violence, and also children who are in trouble, and child victims are protected from acts of crime or violence by opening the door to consultation, coaching, mentoring and guidance.

METHOD

Normative-empirical is a type of legal research that is indeed used in this form of research. The use of this legal research aims to get the legal concept, legal material that has developed and has to do with the role and function of the Indonesian Child Protection Commission (KPAI) in the protection of children victims of violence on the streets. Therefore the research activities in this writing are explorative and descriptive. An explorative aim to deepen knowledge of the existence of a particular symptom or to get new ideas about certain symptoms with the assumption that the symptoms under study are lacking. While descriptive is expected to provide a careful picture of certain shocks and circumstances in relation to other supporting factors followed by an analysis. The Indonesian Child Protection Commission (KPA), provides protection, donation to children who are victims of violence on the streets because in Indonesia following theory: Legal Protection Theory, Provide protection to its citizens in order to live peacefully and peacefully, and be adjusted to the rules made by the authorities, if they are violated there will be sanctions, The Theory Of Justice, Give their respective rights, everyone is free to live and work without interference from other parties, The Theory Of Legal Equality, All

people have equality before the law, without discrimination

Field Observation

Observations were made by looking at the roles and functions of KPAI in protecting children victims of violence in the streets related to the 2014 Child Protection Act Number 35.

Interview

Conducted to obtain information directly related to various matters related to writing / research material.

Literature Study

In this case it is attempted to collect as much reading material as possible in the form of books, legislation relating to research writing material.

Data collected from library studies, interviews, and field observations are expected to be used as an ingredient to analyze the substance of the research so that it can answer and deal with all problems.

RESULT AND DISCUSSION

The spread of various child protection issues certainly concerns us all. A good role must be played by the family as the main institution so that children have adequate protection. The neglect of children's rights in a harmonious family becomes a trigger for the increase or occurrence of divorce cases, lack of disharmony in the family, the existence of a family that is considered poor, the behavior of the father or mother which is considered wrong or incorrect, the occurrence of an informal marriage, to an effort and fulfillment of freedom from children and civil rights in various other problem factors. The increasing complexity of problems related to the field of civil rights and freedom, including the problem of street children who are vulnerable from various acts of violence. This is a social problem that needs to be solved comprehensively across sectors and across regional governments. Referring to the Shrimp Law Number 11 of 2009 concerning Social Welfare, the development of social welfare includes a set of policies, programs, from various activities and also facilities and services that are socially related through approaches from various social rehabilitation, social security, and social empowerment. and also the existence of social protection in order to fulfill the basic rights of PMKS (Persons with Social Welfare Problems), and to improve the quality and independent life. Street children are carrying out activities that are economic in nature and still have an inner connection with their families, given general terms that are always considered to refer to children on the streets, but until now there is no clear understanding and is used as a guideline for parties regarding the term street children. Street children can be said to be children who are very vulnerable in working in a street or child place, which everyday lives in a street that spends most of their time doing daily activities on the streets.

Forms and efforts to protect children given by KPAI to children victims of violence on the streets.

The cause of the occurrence of street children in general is due to family economic problems. There are street children who are directly employed by their parents and without the knowledge of their families directly employed by certain groups. and indeed in general is to get or add income and income to family. The condition of street children is very concerning, and the number tends to increase every year. Many factors influence this, we cannot determine randomly before understanding the various problems they face so they decide to take to the streets and get by looking for a living for their survival on the streets. Regarding the duties and objectives of the establishment of KPAI, in the effort to realize the 2014 Law on Child Protection Number 35, Article 74 paragraph 1 states that KPAI as an Independent State Institution is present with its duties and authorities in order to increase the effectiveness of monitoring the implementation of children's rights. While the purpose of the establishment of the KPAI is to provide increased effectiveness for the protection and implementation of children's rights. KPAI does not provide assistance and prosecution for compensation. Assistance to the victim's child and the offender's child is carried out by the

Integrated Service Center for Women's Empowerment and Child Protection, and the prosecution of compensation rights will be determined by the Witness and Victim Protection Agency. Data on children victims of violence on the streets in 2015 – 2018 Specifically street children who experience violence have not yet been recorded, but KPAI has data relating to children's social problems and conditions and also emergencies.

Table 1
KPAI Data
Data Table Details
Child Complaints Case Based On Child Protection Classters
Indonesian Child Protection Commission
Year 2015 - 2018

No	Cluster / Field	Year				Total
		2015	2016	2017	2018	
1.	Social and Child In Emergency Situations					
a.	Neglected Children (Children with	67	90	144	77	378
b.	Abandoned toddlers (victims)	14	21	37	18	90
c.	Abandoned child (victim)	17	26	30	12	85
d.	Child begging (victim)	10	13	16	9	48
e.	Street Children (victims)	9	12	22	10	53
f.	Homeless Child (victim)	6	7	15	8	36
g.	Children From Poor Families	8	7	14	13	42
h.	Children With Special Needs	3	4	10	7	24
i.	Children In Emergency (Victims of	14	20	24	11	69
j.	Children of Disaster Victims (Land,	86	126	118	31	361
	TOTAL					

Data Description : January2015 – May 31 2018

Primary Data Source:

KPAI's direct complaint;

Complaints of Online Child Protection Data Banks;

Complaint of KPAI Case Monitoring and Investigation Results;

KPAI Hotline Service Complaint.

Indonesian Child Protection Commission

Field of Data and Complaints in 2018

The Main Causes of Children Become Victims of Street Violence Apart from Economic Conditions.

The family naturally becomes the best place in childcare, the family has a central role in maintaining the continuity of life, the family becomes a paradise for children to develop, live, and grow, with the people closest to and interact with each other. The family becomes a miniature, a reflection of children in the future, if the family is intact, strong, and harmonious, then the child will also be successful, but if the family is fragile, vulnerable and weak, then the child is also difficult to avoid from vulnerability, both psychologically, physically vulnerable and social. In providing protection for children victims of violence on the streets, KPAI coordinates with other agencies, such as:1. Ministry of Social Affairs. 2. Ministry of Women's Empowerment and Child Protection, 3. Ministry of Home Affairs, 4. Ministry of National Education, 5. Ministry of Religion, 6. Ministry of Law and Human Rights, 7. Indonesian National Police, 8. DPRD, 9. Local Government, 10. Child Care Society 11. Other related institutions.

Crimes That Often Occur Against Children Victims of Street Violence

Street children are one of the social problems, where they are very vulnerable and at high risk of the dangers of various physical, psychological, economic and sexual violence acts. The factor behind the children taking to the streets is due to poverty, neglect, violence and exploitation. To suppress the number of street children, concrete steps have been taken including providing understanding of families, providing assistance to poor families. The main obstacle in handling the problem of street children is that the coordination of the problem of street children is still considered a domestic problem that has not become a public problem so the handling is still slow.

What the Government Is Doing in Overcoming / Anticipating So that There Are No More Street Children

The Indonesian Ministry of Social Affairs is targeting free street children in 2014, and so that all is more optimal in finding solutions for children who are categorized as street and abandoned children. Finding solutions for children on the streets is not easy, the biggest obstacle is the lack and limited commitment of all elements and parties to be able to suppress with the lowest possible results of the number of children who are street in Indonesia. If all parties starting from the Ministry of Education, Ministry of Manpower and Transmigration, Ministry of Health, Ministry of Home Affairs, Ministry of Religion, Ministry of Law and Human Rights, Police, NGOs and the community must join hands and commit to possible problems with street children more can be overcome.

CONCLUSION

From monitoring and evaluation carried out by KPAI, to overcome street children is needed support of structures and apparatus: An institution in the community needs to be established that specifically handles street children, The effectiveness and synergy between institutions, families, parents related to the problem of street children has not run optimally, Regarding the road handling program that has not been completed until now due to city infrastructure is still an attraction to continue to run and the regulation is still slow, In relation to the many street children who are still ignored by their rights, the problem is not simple, their existence on the streets is not the purpose of their lives, but the streets where they seek life. Rights to get protection should not be obtained on the streets, which is very unsafe for the existence of children, The response of the community related to the problem of street children assesses street children disrupting the beauty of the city and being vulnerable to crime, Perceptions and community responses related to child handling and policies have not been fully optimal, Constraints in the implementation of street children stagnation programs are the loss of the child's own shame, The public can find out what is the cause of the rise / rise of street children so far because of the mafia / coordinator who deliberately exploits children for economic interests.

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