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Article Title

Assessing the Effectiveness of the Police Function in Combating Violence against Children: A Case Study at Makassar City Police Headquarters

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ABSTRACT

This research aims to identify and analyze the effectiveness of the police function, and the factors influencing this effectiveness, in combating criminal acts of violence against children. This study falls under the category of empirical legal research, emphasizing field research supported by data and interview results. The research was conducted in Makassar City. The findings indicate that both non-penal and penal measures undertaken by the Makassar City Police Headquarters are considered effective in combating criminal acts of violence against children. Furthermore, eight factors related to these non-penal and penal measures were identified: legal structure, legal substance, legal culture, legal knowledge, legal awareness, facilities and infrastructure, social environment, and family economy. However, these factors were assessed as having a limited influence on the efforts to combat criminal acts of violence against children occurring in Makassar City. It is recommended that the police optimize their penal and non-penal efforts while concurrently addressing the factors influencing their performance and function, in order to minimize criminal acts of violence against children in the future.

Keywords: Children; Non-Penal Measures; Penal Measures; Violence.

INTRODUCTION

Violence against children constitutes a significant social problem within Indonesian society (Mahmud et al., 2019). Such violence can occur within the family environment as well as in the child's social milieu, manifesting in forms such as sexual, physical, or psychological/mental abuse (Kamal, 2019). These conditions adversely impact child development, necessitating serious attention as children represent the future generation responsible for continuing the nation's progress (Yuwono, 2018).

The trend of violence against children has sharply increased over the years. Monitoring results from the Indonesian Child Protection Commission indicate that an average of 45 children experience sexual violence each month. The National Commission for Child Protection recorded that, over a five-year period, Indonesia faced a child protection emergency, with 21,689,987 reported cases of child rights violations spread across 33 provinces and 202 regencies/cities (Munir, 2015). Monitoring by the Child Protection Institute showed that 58% of these cases involved sexual offenses. Data from the National Commission for Child Protection also noted 2,898 cases of violence against children in 2015, with 59.30% being sexual crimes and 40.70% accumulating from cases of physical violence, neglect, mistreatment, rape, illegal adoption, abduction, child trafficking for sexual exploitation, brawls, and drug-related cases. Perpetrators of child violence often include family members, neighbors, friends, teachers, religious figures, community leaders, and others. Generally, these acts of violence occur predominantly in private spaces (62%) and public spaces such as homes, schools, orphanages, religious institutions, and others (38%) (Setiani, 2016).

The increase in the number of child abuse cases, as described above, represents a reality that contradicts existing legislation. Child protection is legally mandated, as stipulated in Article 13 section (1) of Law Number 17 of 2016, which provides that every child, while under the care of parents, guardians, or any other party responsible for their upbringing, has the right to protection from:

1. discrimination;
2. exploitation, both economic and sexual;
3. neglect;
4. cruelty, violence, and mistreatment;
5. injustice; and
6. other forms of maltreatment.

Furthermore, Article 76C of Law Number 17 of 2016 stipulates that *“Every person is prohibited from placing, allowing, committing, ordering others to commit, or participating in acts of Violence against Children.”* Consequently, any act of violence against children requires countermeasures, particularly from authorities legally empowered to address such matters. One such authority is the police force, given that one of its functions is law enforcement, as outlined in Article 2 of Law Number 2 of 2002, which states:

“The police function is one of the state governmental functions in the field of maintaining public order and security, law enforcement, protection, guidance, and service to the community.”

Based on the aforementioned description, this research aims to identify and analyze the effectiveness of the National Police’s function in combating criminal acts of violence against children occurring within the jurisdiction of the Makassar City Police Headquarters, as well as the factors influencing it.

METHOD

This study employs an empirical legal research approach, which examines law within its social context ([Sampara & Husen, 2016](#)), focusing on the function of the Police in combating criminal acts of violence against children. The research was conducted within the jurisdiction of the Makassar City Police Headquarters, considering that Makassar City has experienced a significant incidence of violence against children, perpetrated by parents, other adults, and even other children. The population for this study comprises Police officers and Judges frequently handling criminal cases, as well as perpetrators and victims of these crimes. A sample of 50 respondents was selected and proportionally randomized, consisting of:

1. 20 Police Officers;
2. 10 Judges;
3. 10 Perpetrators; and
4. 10 Victims.

The types of data utilized in this research are as follows ([Irwansyah, 2020](#)):

1. Primary Data, obtained directly from respondents based on the defined population and sample;
2. Secondary Data, acquired through the review of legal literature sources, including official documents from the Makassar State Prosecutor's Office, legislation, reference materials, legal academic journals, legal encyclopedias, and official texts or publications.

To gather the necessary data for this study, the following data collection techniques were employed ([Qamar & Rezah, 2020](#)):

1. Questionnaires/Interviews, involving direct interviews where questions related to the research problem were posed to respondents for their answers;
2. Documentation, conducted by formally requesting relevant documents;
3. Library Research, carried out by inventorying and analyzing legal literature materials pertinent to the research problem.

The collected data were subsequently quantified using a quantitative descriptive analysis model, then elaborated through frequency distribution tables.

RESULTS AND DISCUSSION

A. Effectiveness of the Police Function in Combating Criminal Acts of Violence Against Children at Makassar City Police Headquarters

One form of crime that has recently occurred frequently and significantly disrupts public security and order is criminal acts of violence against children ([Rivanie et al., 2021](#)). The measures undertaken by the Police at Makassar City Police Headquarters to combat criminal acts of violence against children are as follows:

1. Non-Penal Measures

Non-penal measures, which are pre-emptive and preventive in nature, involve efforts to prevent crime or violations by eliminating opportunities ([Nugroho, 2017](#)). These prevention efforts can be carried out by potential victims, perpetrators, the government, or the wider community before the crime

occurs. Pre-emptive countermeasures involve detecting initial conditions and early prevention through educational activities aimed at influencing the factors contributing to criminal acts of violence against children. These pre-emptive efforts require intelligence gathering to provide necessary information (Husen et al., 2020).

Preventive countermeasures are prevention efforts undertaken before a crime occurs. Preventive measures carried out by the Police primarily involve community outreach, including:

- a. Engaging the community to cooperate in protecting children within their surroundings.
- b. Encouraging the community to coordinate and promptly report observed incidents of violence against children to the relevant authorities.
- c. Providing counseling and urging parents to pay closer attention to their children.

Regarding the effectiveness of non-penal measures in the execution of the Police function to combat criminal acts of violence against children at Makassar City Police Headquarters, the findings are presented in the following table.

Table 1. Non-Penal Measures

Indicator	Frequency	Percentage (%)
Effective	27	54.00
Less Effective	20	40.00
Ineffective	3	6.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 1 above indicates varied responses regarding the effectiveness of non-penal measures in the Police's function of combating child violence at Makassar City Police Headquarters: 27 respondents (54%) stated they were effective, 20 respondents (40%) stated they were less effective, while 3 respondents (6%) stated they were ineffective. This empirical evidence suggests that respondents generally perceive non-penal measures as effective in the Police's function of combating child violence at Makassar City Police Headquarters, although a significant portion views them as less effective. Preventive actions undertaken by the Police include monitoring potential violence against children through activities such as guidance, legal counseling, and promoting understanding of the importance of deliberation in resolving issues.

2. Penal Measures

Penal measures are repressive, representing follow-up actions taken after preventive efforts. Repressive measures are directed at handling or processing criminal acts of violence against children in accordance with applicable laws and regulations. Repressive measures are implemented through methods such as (Kuncoro, 2017):

- a. Swift and appropriate handling by law enforcement officials upon receiving reports or complaints regarding incidents of violence against children.
- b. Investigation, prosecution, adjudication, and punishment of perpetrators of criminal acts of violence against children.
- c. Judges examining and sentencing perpetrators of child violence are expected to possess the moral courage to impose sentences without compromising justice and legal certainty. Imprisonment penalties for perpetrators should be severe to create a deterrent effect.

Repressive measures aim to sanction perpetrators of criminal acts of violence against children. Suspected perpetrators undergo examination and preliminary investigation to gather initial evidence, followed by a full investigation to confirm the committed crime. Once sufficient evidence and witness testimony are obtained, the case can proceed to court for a judicial verdict. Based on the research findings, the effectiveness of penal measures in the execution of the Police function to combat criminal acts of violence against children at Makassar City Police Headquarters is shown in the following table.

Table 2. Penal Measures

Indicator	Frequency	Percentage (%)
Effective	26	52.00
Less Effective	22	44.00
Ineffective	2	4.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 2 above shows varied responses concerning the effectiveness of penal measures in the Police's function of combating child violence at Makassar City Police Headquarters: 26 respondents (52%) deemed them effective, 22 respondents (44%) deemed them less effective, while 2 respondents (4%) deemed them ineffective. A Police officer provided the following explanation:¹

¹Interview with a Police Officer at Makassar City Police Headquarters, on July 3, 2019.

“Penal measures undertaken by the Police in combating criminal acts of violence against children at Makassar City Police Headquarters include: prosecuting perpetrators of child violence to create a deterrent effect; processing suspects according to applicable regulations; and imposing severe punishments or sanctions on suspects. This is intended to prevent perpetrators from repeating their actions.”

Based on the description above, the Police function in combating criminal acts of violence against children at Makassar City Police Headquarters employs two approaches: first, the “penal” approach, signifying repressive activities involving coercive measures such as arresting perpetrators, detention, and the investigation process up to the handover to the Public Prosecutor. Second, the “non-penal” approach, signifying activities carried out by Police officers and the local community to prevent violence against children. Furthermore, based on the percentage of respondent answers, the Police function in combating violence against children is considered effective (Atmaja, 2013).

B. Factors Influencing the Effectiveness of the Police Function in Combating Criminal Acts of Violence Against Children at Makassar City Police Headquarters

The implementation of the Police function in combating criminal acts of violence against children at Makassar City Police Headquarters is undoubtedly influenced by several factors. These factors are explained as follows.

1. Legal Structure

Legal structure refers to the entirety of law enforcement institutions and their personnel, including the police force and its officers (Bunjamin, 2021). The influence of the legal structure on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters is presented in the following table.

Table 3. Influence of Legal Structure

Indicator	Frequency	Percentage (%)
Influential	17	34.00
Less Influential	30	60.00
Not Influential	3	6.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 3 above shows varied responses regarding the influence of the legal structure on the effectiveness of the Police function in combating child

violence at Makassar City Police Headquarters: 17 respondents (34%) stated it was influential, 30 respondents (60%) stated it was less influential, while 3 respondents (6%) stated it was not influential. Thus, the data trend indicates that the legal structure is considered less influential on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters. Therefore, efforts to improve the legal structure still need to be enhanced to realize effective law enforcement in the future.

2. Legal Substance

Legal substance encompasses the entirety of legal principles, legal norms, and legal rules, both written and unwritten, including court decisions (Akbar & Musakkir, 2022). The influence of legal substance on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters is shown in the following table.

Table 4. Influence of Legal Substance

Indicator	Frequency	Percentage (%)
Influential	15	30.00
Less Influential	31	62.00
Not Influential	4	8.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 4 above indicates varied responses regarding the influence of legal substance on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters: 15 respondents (30%) stated it was influential, 31 respondents (62%) stated it was less influential, while 4 respondents (8%) stated it was not influential. This data trend suggests that the existing laws and regulations related to the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters have not been fully implemented, as violence against children persists. This situation evidently has not provided a sufficient deterrent effect or understanding among the public regarding the legal consequences for perpetrators. Therefore, a review of the legal provisions related to combating violence against children is necessary to achieve effective law enforcement in the future.

3. Legal Culture

Legal culture refers to the habits, opinions, ways of thinking, and actions of both law enforcers and community members (Hariyadi, 2020). Legal culture

is crucial for supporting the legal system. Cultural variations lead to different perceptions regarding the authority of law enforcement. Respondent answers concerning the influence of legal culture on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters are presented below.

Table 5. Influence of Legal Culture

Indicator	Frequency	Percentage (%)
Influential	13	26.00
Less Influential	33	66.00
Not Influential	4	8.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 5 above shows varied responses regarding the influence of legal culture on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters: 13 respondents (26%) stated it was influential, 33 respondents (66%) stated it was less influential, while 4 respondents (8%) stated it was not influential. This trend indicates that respondents generally perceive legal culture as less influential on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters.

4. Legal Knowledge

Legal knowledge is vital for both law enforcers and the public, enabling prompt recognition and response when actions violating laws occur. A significant portion of perpetrators of violence against children come from communities with low legal knowledge, leading them to commit crimes without considering the consequences (Manangin et al., 2022). The influence of legal knowledge on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters is shown below.

Table 6. Influence of Legal Knowledge

Indicator	Frequency	Percentage (%)
Influential	14	28.00
Less Influential	31	62.00
Not Influential	5	10.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 6 above shows varied responses regarding the influence of legal knowledge on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters: 14 respondents (28%) stated it was influential, 31 respondents (62%) stated it was less influential, while 5 respondents (10%) stated it was not influential. This data trend suggests that respondents generally perceive legal knowledge as less influential on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters. Therefore, enhancing the legal knowledge of law enforcers, including understanding the authority of each institution, is still necessary to achieve law enforcement objectives.

5. Legal Awareness

The legal awareness of every individual is highly demanded in the current era of national development. Respondent answers concerning the influence of legal awareness on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters are presented below.

Table 7. Influence of Legal Awareness

Indicator	Frequency	Percentage (%)
Influential	14	28.00
Less Influential	32	64.00
Not Influential	4	8.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 7 above shows varied responses regarding the influence of legal awareness on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters: 14 respondents (28%) stated it was influential, 32 respondents (64%) stated it was less influential, while 4 respondents (8%) stated it was not influential. This data trend indicates that respondents generally perceive legal awareness as less influential on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters. Therefore, increasing the legal awareness of both law enforcers and the public is still needed to support the effectiveness of the Police function in this context.

6. Facilities and Infrastructure

The execution of the Police function must be accompanied by the provision of necessary resources to support its implementation (Purnawati & Ilham, 2022). The influence of facilities and infrastructure on the effectiveness

of the Police function in combating child violence at Makassar City Police Headquarters is shown below.

Table 8. Influence of Facilities and Infrastructure

Indicator	Frequency	Percentage (%)
Influential	10	20.00
Less Influential	36	72.00
Not Influential	4	8.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 8 above shows varied responses regarding the influence of facilities and infrastructure on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters: 10 respondents (20%) stated they were influential, 36 respondents (72%) stated they were less influential, while 4 respondents (8%) stated they were not influential. This implies that respondents generally consider facilities and infrastructure to be less influential, suggesting that they need improvement to support the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters.

7. Social Environment

The influence of the social environment on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters is presented below.

Table 9. Influence of Social Environment

Indicator	Frequency	Percentage (%)
Influential	13	26.00
Less Influential	31	62.00
Not Influential	6	12.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 9 above shows varied responses regarding the influence of the social environment on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters: 13 respondents (26%) stated it was influential, 31 respondents (62%) stated it was less influential, while 6 respondents (12%) stated it was not influential. This implies that

respondents generally consider the social environment to be less influential on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters.

8. Family Economy

Employment can trigger the occurrence of criminal acts of violence against children. Family income or economy is closely related to employment. The influence of family economy on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters is shown below.

Table 10. Influence of Family Economy

Indicator	Frequency	Percentage (%)
Influential	15	30.00
Less Influential	28	56.00
Not Influential	7	14.00
Total	50	100.00

Source: Data Processed from Questionnaires, 2019

Table 10 above shows varied responses regarding the influence of family economy on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters: 15 respondents (30%) stated it was influential, 28 respondents (56%) stated it was less influential, while 7 respondents (14%) stated it was not influential. This implies that respondents generally consider the family economy factor to be less influential on the effectiveness of the Police function in combating child violence at Makassar City Police Headquarters.

CONCLUSIONS AND SUGGESTIONS

The research findings indicate that the function of the Makassar City Police Headquarters in combating criminal acts of violence against children, executed through a combination of non-penal and penal measures, is generally assessed as quite effective by the respondents. However, an evaluation of the eight potentially influencing factors—encompassing legal structure, legal substance, legal culture, legal knowledge, legal awareness, facilities and infrastructure, social environment, and family economy—indicates that these factors are currently perceived as exerting a less dominant influence on the effectiveness of these countermeasures within the jurisdiction of Makassar City Police Headquarters.

Based on these findings, it is recommended that the Makassar City Police Headquarters continue efforts to maximize the implementation of existing penal and non-penal strategies. Furthermore, greater proactive attention should be devoted to analyzing and strengthening the factors currently deemed less influential, such as improving structural and substantive legal aspects, enhancing legal awareness and knowledge among both officials and the public, and ensuring adequate provision of facilities and infrastructure. Comprehensive reinforcement of these aspects is expected to optimize overall police performance and contribute to more significantly minimizing criminal acts of violence against children in the future.

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