

## Enhancement Legal Effectiveness of Handling and Prevention Processes Domestic Violence in Samarinda Through Empowerment PKK Group (Empowerment Well-being Family)

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**Abstract:** Samarinda City is one of the cities located in East Kalimantan Province and is often found to have cases of Domestic Violence. The implementation of Law Number 23 of 2004 concerning the Elimination of Domestic Violence should be a solution to participate in preventing and overcoming acts of Domestic Violence as a law enforcement effort. However, in its implementation it turns out that there are still cases of Domestic Violence. The research approach used in this research is a Social Legal Research approach which aims to examine two main points of discussion, first to examine the handling of victims of Domestic Violence in Samarinda City. Second, to examine the role of the Perempuan Academy program in empowering community groups for Family Welfare Empowerment to prevent Domestic Violence in Samarinda City. The results of the research show that the handling of Domestic Violence in the City of Samarinda is provided both repressively and preventively, not only to deal with it after it occurs and is experienced by the victim, but also to participate in preventing it before the crime occurs in order to reduce cases of Domestic Violence in the City Samarinda and the Women's Academy program is considered sufficient to help the Family Welfare Empowerment group in Karang Anyar Village, Samarinda City to prevent Domestic Violence.

**Keywords:** Optimization, Legal Remedies, Domestic Violence

## INTRODUCTION

Indonesia is a country of law , <sup>1</sup>which means that in our country there are various aspects of regulations that are coercive and have sanctions, which are strict if they are violated. Not being separated from the concept of the rule of law, acts of Domestic Violence are one of the things regulated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence, the substance of this regulation is of course to deal with problems regarding acts of Domestic Violence. Domestic violence is any act against someone, especially women, which results in physical, sexual, psychological misery or suffering, and/or domestic neglect, including threats to commit acts, coercion, or unlawful deprivation of liberty within the household.<sup>2</sup>

However, in its implementation it turns out that cases of Domestic Violence (KDRT) are still found. Based on these facts and data, of course the legal efforts taken must still be

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<sup>1</sup>Article 1 Paragraph 3, 1945 Constitution of the Republic of Indonesia .

<sup>2</sup>Article 1 Number 1, Law Number 23 of 2004 concerning Removal Domestic violence .

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optimized further by paying attention to the involvement of the Women's Academy program. Perempuan Academy is a program created by UNMUL students for the 2022 PKM-PIMNAS event, which was then carried out to Family Welfare Empowerment (PKK) in Karang Anyar Village. Paying attention to the involvement of this program is important because there is a need to pay attention to the participation of the PKK group, this aims to optimize preventive or repressive legal efforts to reduce cases of Domestic Violence (KDRT) that occur in Samarinda City. The problem formulation that the author created is:

1. How are victims of domestic violence crimes handled in Samarinda City?
2. What is the role of the Perempuan Academy program in empowering Family Welfare Empowerment groups to prevent criminal acts of Domestic Violence in Samarinda City?

## RESEARCH METHODS

The author uses a Socio-Legal Research approach, Ronny Hanitijo Soemitro defines this research as legal research that obtains data from primary data or data obtained directly from the community.<sup>3</sup> This approach aims to explore data directly in the field.<sup>4</sup> This approach is carried out by analyzing the laws of behavior and events in society,<sup>5</sup> in relation to Domestic Violence. This approach is also supported by a doctrinal side in the form of library materials and a set of regulations related to the research theme.<sup>6</sup>

Study implemented in the Samarinda City area, East Kalimantan Province, specifically at the Women's Empowerment and Child Protection Service in Samarinda City (DP2PA Samarinda City); Samarinda City Resort Police; and the Family Welfare Empowerment community group in Karang Anyar Village in Samarinda City.

## DISCUSSION AND ANALYSIS

### Handling Victims of Domestic Violence in Samarinda City

Table 1. Recap of Data Base of Domestic Violence Cases in Samarinda City

No.	Year	Number of Cases
1.	2020	174 Cases
2.	2021	130 Cases
3.	2022	158 Cases
4.	2023	211 Cases

Source: PPA Symphony belonging to the Department of Population, Women's Empowerment and Child Protection in East Kalimantan Province (PPA Symphony). URL:

<https://kekerasan.kemenpppa.go.id/>, 20 January 2024.

<sup>3</sup>Benuf, K., & Azhar, M, 2020. *Legal Research Methodology as an Instrument for Unraveling Contemporary Legal Problems*. Echoes of Justice, 7(1), 20-33.

<sup>4</sup>Moh. Nazir, 2003. *Research Methods*. Jakarta: Pt. Ghalia Indonesia, Pg. 19.

<sup>5</sup>Bambang Sunggono, 2003. *Legal Research Methodology*. Jakarta: Pt. Raja Grafindo, Pg. 43.

<sup>6</sup>Saraswati, R. 2009. *Women and Resolving Domestic Violence*. Pt. Aditya Bakti's image.

Based on the data table above, we can see that there has been an increase in cases over the last 4 years in Samarinda City, but citing the results of an interview with Mr. Syarifuddin Nur, SE, MM as Head of the PP Division of the Samarinda City Women's Empowerment and Child Protection Service, he said that There is an increase in incoming case reports, we can't just treat it as a negative thing, because if we find an increase in incoming case reports then this can be a reference if the public's awareness of reporting domestic violence has started to increase because they have understanding and knowledge and raise the courage of victims to report.

Table 2. Recap of Data Base on Domestic Violence Cases in Samarinda City

No.	Year	Total Cases	Things Finished
1.	2020	2 Things	2 Things
2.	2021	2 Things	2 Things
3.	2022	6 Things	6 Things
4.	2023	9 Things	2 Things

*Source: Samarinda Police Women and Children Protection Unit.*

The author encountered an obstacle in collecting data, namely getting details from the Women's Empowerment and Child Protection Service in Samarinda City, therefore the author also used case data base from the Samarinda Police PPA Unit as data that could help in the analysis, based on case data base from the Unit. We can see that the Samarinda Police PPA in the last 4 years has also increased and we can also see that every case that comes in can be resolved and there are several cases in 2023 that are still in the process of being resolved.

Handling victims of the crime of Domestic Violence involves taking several steps aimed at protecting and supporting the victim and also preventing further violence or violence that has more fatal consequences, such as the death of the victim.

Based on the results of interviews in the field conducted by the Author along with the data that has been obtained, a common thread can be drawn that in handling victims of Domestic Violence, the Samarinda City Women's Empowerment and Child Protection Service (DP2PA) and the Samarinda Police PPA Unit involve other parties for the sake of maximize handling. In handling victims, the Samarinda City Women's Empowerment and Child Protection Service (DP2PA) starts by receiving reports from incoming victims and listening to the situation of domestic violence victims.

After that, they will be directed according to the victim's needs, such as psychological assistance or health assistance if the victim is found to have experienced physical violence. Not much different from the Samarinda Police PPA Unit in dealing with victims, the Samarinda Police PPA Unit also does the same thing, namely providing assistance by psychologists and also assistance in terms of health (health facilities) through several places that have partnered with the Samarinda Police.

The assistance provided by the Samarinda City Women's Empowerment and Child Protection Service (DP2PA) and also the Samarinda Police PPA Unit is a form of the government's real performance in dealing with the problem of Domestic Violence, especially in the Samarinda City area. The treatment provided is also guided by the PKDRT Law in Chapter V Obligations of the Government and Society, namely as follows:

#### **Article 11**

*The government is responsible for efforts to prevent domestic violence.*

#### **Article 12**

*(1) To implement the provisions as intended in Article 11, the Government:*

- a. formulate policies regarding the elimination of domestic violence;*
- b. organize communication, information and education about domestic violence;*
- c. organize outreach and advocacy about domestic violence; And*
- d. organize gender-sensitive education and training on domestic violence issues and establish standards and accreditation of gender-sensitive services.*

*(2) The provisions as intended in paragraph (1) are implemented by the Minister.*

*(3) The Minister can coordinate with related agencies in implementing the provisions as intended in paragraph (2).*

#### **Article 13**

*To provide services to victims, the government and regional governments in accordance with their respective functions and duties can make efforts to:*

- a. provision of a special service room at the police station;*
- b. provision of officers, health workers, social workers and spiritual guides;*
- c. creation and development of cooperation systems and mechanisms for service programs involving parties that are easily accessible to victims; And*
- d. provide protection for companions, witnesses, family and friends of victims.*

#### **Article 14**

*To carry out the efforts as intended in Article 13, the government and regional governments, in accordance with their respective functions and duties, can collaborate with the community or other social institutions.*

### **The Role of the Women's Academy Program in Empowering PKK Groups to Prevent Domestic Violence in Samarinda City**

The Women's Academy program emerged based on problems that occurred in Karang Anyar Subdistrict and is also based on Article 15 of the PKDRT Law which states *"Everyone who hears, sees or knows about the occurrence of domestic violence is obliged to make efforts*

*within the limits of their ability to: a. prevent criminal acts from taking place; b. provide protection to victims; c. provide emergency assistance; and D. assist in the process of submitting applications for protection determination."* , and based on discussions with the Chair of the PKK Group in 2022, namely Mrs. Supiyah, SE, she stated that there were several problems occurring in Kel. Karang Anyar domestic violence, theft, drugs and unemployment.

Samarinda City is one of the cities in East Kalimantan Province which has the second highest number of domestic violence cases after Bontang City according to data from the East Kalimantan Province Women's Empowerment and Child Protection Population Service in 2021, with a national scale violence rate of 8,803.74.6% of domestic violence, with 130 violence, making domestic violence cases in Samarinda City need special attention, especially the highest cases, namely in District. Kunjang River with 26 cases of domestic violence. BHABINKAMTIBMAS Karang Anyar Village stated that Kec. Kunjang River has the highest number, namely 21 cases of violence in Kel. Karang Anyar is 9 cases. Furthermore, Mrs. Yeyen as Head of Social Welfare (Domestic Violence) stated that the high number of domestic violence cases was due to a lack of education, knowledge and skills related to preventing Domestic Violence.

Based on discussions held in 2022 to determine the program with the Chair of the Family Welfare Empowerment group in Karang Anyar Village, Samarinda City as a partner, the implementation team from Mulawarman University also determined the issue of domestic violence as a problem to be addressed, therefore it is necessary to hold a program with a focus on providing knowledge education, counseling, skills training for women in handling and also as a real form of community involvement in preventing cases of domestic violence. Therefore, a joint movement is needed based on creating a shared spirit in handling domestic violence which aims to prevent domestic violence. This program carries a sustainable concept and the program implemented is "Perempuan Academy: Community-Based Domestic Violence Prevention Movement as a Model for a Sustainable Domestic Violence-Free Village".

Partners are actively involved in various stages of activities that will be carried out starting from the preparation stage to the final stage of implementing the activity. Partners who have been determined in this program carry out activities in accordance with the stages set by the implementing team. Apart from that, partners are also involved in carrying out activity evaluations. The partner chosen for this activity is the Kel. Family Welfare Empowerment Group. Karang Anyar. Determination of program success indicators is carried out to obtain a reference for the success of the program to be implemented. The main success indicator for this program is that the partner community has knowledge and skills in preventing domestic

violence and thus produces a model village free of domestic violence in Samarinda City. Program indicators can be seen in the following table:

Table 3. Indicators of Success of the Women's Academy Program

Conditions Before Implementation	Conditions After Implementation
Partners <u>lack knowledge and skills</u> in preventing cases of domestic violence.	Partners <u>have knowledge and skills</u> in preventing domestic violence cases.
There are <u>no skilled cadres</u> in creating model sub-districts free of domestic violence.	Formation of <u>skilled cadres</u> in creating model sub-districts free of domestic violence.
Ex. Karang Anyar is <u>not a model sub-district free from</u> domestic violence.	Ex. Karang Anyar is <u>a model sub-district free from</u> domestic violence.

*Source : Final Report on the Implementation of the Women's Academy Program*

Activity evaluation implemented in each end from implementation program activities, which are where success program implementation is measured with results discussion together partner as part in get feedback from public packaged partners in activity reflection. This program evaluation activity is carried out to see the success of the program being implemented. The implementation of this program is carried out on an ongoing basis. Each activity has monitoring to monitor and also evaluate the success of the activity implementation.

Based on the results of interviews with the PKK group Kel. Karang Anyar in Samarinda City, they said that the obstacles they experienced were only in terms of the lack of support for the PKK group after the completion of the activity in 2022, they complained that they were constrained by costs, and also that sharing with other sub-districts required adequate coordination and budget.

Referring to these challenges, there is a limitation experienced by the Karang Anyar Village Family Welfare Empowerment group in showing its potential as a Domestic Violence-free sub-district to the Family Welfare Empowerment group in other sub-districts. The Karang Anyar Village Family Welfare Empowerment Group also said that they hope that the commitment made by the parties to the program which is stated as a long-term agreement is not just talk, but requires real commitment and focus, because they feel that this lack of focus has an impact on the emergence of similar programs which lead to Programs that were already good have become stagnant and there is minimal support to maintain this commitment.

Based on the results of an interview with Mrs. Fransiska as Head of Family Welfare Empowerment in Karang Anyar Subdistrict in 2023, she said that the Women's Academy Program was quite good and also had IPR records of the program implementation guideline modules created so that the program could be continued by PKK cadres in Kel. Karang Anyar.

<sup>7</sup>Based on the results of the interview, it was discovered that the Karang Anyar Village Family Welfare Empowerment Group in Samarinda City only wanted the commitment from the

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<sup>7</sup>Interview Results with Mrs. Fransiska. As Chairman of the PKK Kel. Karang Anyar, Samarinda City, on November 24 2023 at the Kel. Karang Anyar, Samarinda City.

Samarinda City DP2PA to continue to support the sustainability of this program to be taken outside of Karang Anyar Village and could be given support in the form of a budget to carry out discussions with the Group. Empowering Family Welfare is outside Karang Anyar Village but is still within the scope of Samarinda City.

## **CONCLUSION**

Based on the results of research in several previous chapters, it can be concluded as follows:

1. Judging from the 2 study locations, namely the Samarinda City Women's Empowerment and Child Protection Service and the Samarinda Police PPA Unit, in providing forms of treatment to victims, the community will receive treatment both repressively and preventively, not just to handle criminal acts of Domestic Violence. after it occurs and is experienced by the victim, but also participates in preventing criminal acts before they occur in order to reduce cases of Domestic Violence in Samarinda City. Repressive handling is provided in the form of increasing public knowledge and understanding through socialization and guidance activities related to Domestic Violence, while preventive treatment is provided in the form of receiving incoming reports, assisting victims and facilitating victims (psychologically, health and legally) who where all treatment given must be based on the real situation and conditions of the victim so that there are no wrong steps in handling the victim.
2. In empowering the Family Welfare Empowerment (PKK) group at the 3rd study location, namely Kel. Karang Anyar, Samarinda City, the Women's Academy program is considered to be sufficient to help the community in preventing domestic violence , because in this program the needs of the community of Kel. Karang Anyar, namely the Guidebook and PKK cadres, before going out into the community, have received education and understanding first so that they can be more massive in helping and providing more understanding to the Kel community. Karang Anyar regarding Domestic Violence.

## **RECOMMENDATION**

Based on the conclusions presented previously, the author provides several suggestions, namely:

1. In handling victims of crimes of domestic violence, internal and external obstacles were encountered by both the Samarinda City Women's Empowerment and Child Protection Service (DP2PA) and the Samarinda Police PPA Unit. The internal obstacles experienced are in terms of human resources (HR), which are considered to be still minimal in each

agency, which should be able to increase further in the future so that case handling can be maximized with the number of human resources (HR) available, then there are obstacles in terms of The finances of each agency are deemed to need to be increased in order to provide facilities and activities that are beneficial to the community in order to reduce the number of cases of domestic violence in Samarinda City. Then, for external obstacles to agencies that come from members of the public who are deemed to lack concern regarding Domestic Violence, in this case we as a society can be more open-minded so that the information related to Domestic Violence conveyed by these agencies can be more useful. in order to reduce the number of cases in Samarinda City.

2. Regarding the role of the Perempuan Academy program in empowering the Family Welfare Empowerment (PKK) group to prevent the crime of Domestic Violence in the City of Samarinda, there is an obstacle in the form of the fact that there is a lack of support in the form of a budget so that the program can be disseminated and not just stopped. in Kel. Karang Anyar Samarinda City, in this case both the Samarinda City Women's Empowerment and Child Protection Service (DP2PA) and the Samarinda Police PPA Unit can collaborate to support the active activities of the PKK group in Kel. Karang Anyar, as a form of community participation in helping increase knowledge about Domestic Violence.

## **BIBLIOGRAPHY**

- Amirudin and Zainal Asikin, 2004. Introduction to Legal Research Methods. Jakarta: PT Raja Grafindo Persada.
- Arif Gosita in Rena Yulia's book, 2010. Victimology of Legal Protection for Crime Victims. Graha Ilmu, Yogyakarta.
- Badriyah Khaleed, SH 2018. Legal resolution of domestic violence. MediaPressindo.
- Bambang Sunggono, 2003. Legal Research Methodology. Jakarta: PT. King Grafindo.
- Bambang Sunggono, 2003. Legal Research Methodology. Jakarta: Pt. Raja Grafindo, Pg. 43.
- Benuf, K., & Azhar, M, 2020. Legal Research Methodology as an Instrument for Exploring Contemporary Legal Problems. Echoes of Justice.
- Benuf, K., & Azhar, M, 2020. Legal Research Methodology as an Instrument for Exploring Contemporary Legal Problems. Echoes of Justice, 7(1), 20-33.
- Lili Rasjidi and IB Wysa Putra, 1993. Law as a System. Bandung: Rusdakarya Youth.
- Moh. Nazir, 2003. Research Methods. Jakarta: PT. Ghalia Indonesia. The 1945 Constitution of the Republic of Indonesia.



Moh. Nazir, 2003. Research Methods. Jakarta: Pt. Ghalia Indonesia, Pg . 19.

Saraswati, R. 2009. Women and Resolving Domestic Violence. Pt. Aditya Bakti's image.

Law Number 23 of 2004 concerning the Elimination of Domestic Violence.

Interview with Mr. Syarifuddin Nur, SE, MM as Head of the PP Division of the Samarinda City Women's Empowerment and Child Protection Service, on November 24 2023.

Interview with Mr. Teguh Wibowo, SH as Head of the Samarinda Police PPA Unit, on November 22 2023.

Interview with the Chair, Secretary and Chair of the PKK Domestic Violence Working Group Kel. Karang Anyar, Samarinda City, on November 24 2023.