



*Perlindungan Anak, Peraturan Presiden Nomor 65 Tahun 2020 tentang Kementerian Perempuan dan Perlindungan Anak. Qanun Aceh Nomor 11 Tahun 2008 tentang Perlindungan Anak. Kedua, dalam implementasi program kerja DP3AKB Kabupaten Aceh Timur sudah berupaya memetakan upaya dan kendala dalam menjamin perlindungan hukum. Antara lain, DP3AKB Kabupaten Aceh Timur harus melakukan inovasi perlindungan anak terpadu berbasis masyarakat (PATBM). Ketiga, konsep ideal perlindungan hukum terhadap kekerasan anak di DP3AKB Kabupaten Aceh Timur secara filosofis makna dari Undang-Undang Nomor 35 Tahun 2014 tentang Perlindungan Anak yang menerangkan bahwa setiap anak berhak atas kelangsungan hidup, bertumbuh dan berkembang serta berhak atas perlindungan dari kekerasan dan diskriminasi. Saran kepada pemangku kepentingan sebagai berikut: Diharapkan kepada DP3AKB Kabupaten Aceh Timur mengoptimalkan peran fungsi dan tugasnya sebagai pelayan masyarakat sehingga penjaminan perlindungan hukum terhadap anak dalam kasus KDRT, kasus kekerasan seksual, dan lain-lain diselesaikan lewat mekanisme pengadilan dan non pengadilan.]*

**Keywords:** Legal protection, children, domestic violence and, DP3AKB Service

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## INTRODUCTION

Indonesia is a country of law as mandated by Article 1 paragraph (3) of the 1945 Constitution which states that Indonesia is a country of law. That the affirmation of Indonesia as a country of law has a binding force that must be obeyed by all citizens and the government. The law is the basis for actions and decisions taken by individuals, groups, institutions and the government. The state is obliged to protect children because the Indonesian government ideally guarantees the welfare of each of its citizens, including protection of children which is a human right (Ridhwan, 2012: 12).

Children become the relay as well as the shoots, potential, and young generation who continue the ideals of the nation's struggle, have a strategic role, characteristics, and special nature so that they must be protected from all forms of inhumane treatment that result in human rights violations. Then children have the right to survival, growth and development and have the right to protection from violence and discrimination (Ma'ani, 2017: 201).

The other side behind the state protecting its citizens, domestic violence (KDRT) is a global phenomenon that has occurred throughout the century of human life, and occurs in all countries. Some forms of violence such as in the socio-cultural, political, economic, and educational fields, the victims of which are generally children in the family. KDRT is usually more domestic (internal between families). Children are legal subjects who often receive discriminatory treatment (Shihab, 2015).

In the domestic or household sector, children are often the ones who are cornered, receive indecent treatment, and even not a few receive rough treatment and violence from husband and wife and fathers towards their children. Violence in general is a form of action that is more physical in nature that results in physical injury. However, violence is not always identified with physical objects but is not uncommon in the form of psychological violence, or sexual violence (Candra, 2016: 123).

One example of domestic violence is shouting at children, intimidating them, scaring them, and various other forms of attitudes and actions that affect the psychological aspects of children (Fatakh, 2022: 195).

Most commonly observed is violence against children in the domestic or household sector indirectly is the influence of feelings and boredom between husband and wife who have not finished financially, career, and family integrity, or at least the child often gets recognition as the superior party, must be respected because he is the core family, the person responsible for the economic needs and continuity of the household, so that inevitably it is appropriate and considered worthy to submit and obey in any circumstances towards a problematic husband or wife. It is alleged that the economic responsibility of the husband or man is generally considered to be a guarantee of superiority but in the field women often help the family economy so that the burden of household care for children is increasingly complex. On this basis, children are very vulnerable and relatively high in receiving harsh treatment from fathers or mothers in a family (Anwar, 2017: 90).

According to data from the Aceh Province Child Empowerment and Protection Service, cases of violence against women and children are not only physical, but also psychological, sexual harassment, neglect, and other forms of violence. It was recorded that in the span of three consecutive years from 2018 to 2020, there were cases against children based on districts and cities in Aceh. In 2018 there were 736 cases, in 2019 there were 518 cases, then in 2020 there were 170 cases. Specifically in the Women's Empowerment, Child Protection and Family Disaster Service (DP3AKB) of East Aceh Regency, in 2018 there were 18 cases, in 2019 there were 35 cases, and in 2020 there were 4 cases. These data are real cases that occurred and were experienced directly by children (Tim Penulis, 2023).

Data from the Women's Empowerment, Child Protection and Family Planning Service of East Aceh Regency is as follows (Tim Penulis, 2023):

| No | Regency/city | Year 2021 | Year 2022 | Year 2023 |
|----|--------------|-----------|-----------|-----------|
| 1  | East Aceh    | 37        | 9         | 19        |

Violence against children, the state has guaranteed how the model of child protection is, one of Article 44 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, explains that the government is obliged to provide facilities and organize comprehensive health efforts for children, so that every child obtains an optimal level of health from the time they are in the womb (Saifullah, 2023).

Then, in the case of violations regarding these provisions, Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection determines criminal sanctions, either in the form of imprisonment or a fine of a certain amount of money. All of this is solely for the benefit of the child. Children as part of the younger generation are the successors of the ideals of the nation's struggle as well as human resource capital for national development. Article 1 number 1 of Law Number 23 of 2002 explains that child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate, optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination (Hutahean, 2013).

Legal protection for children as victims of domestic violence, namely protection provided, among others: provision of legal assistance; confidentiality of the victim's identity; arrest of the perpetrator with preliminary evidence; provision of other assistance in the form of health services; rehabilitation efforts (Hayaturahmah, 2023). The question is

how does the state pattern guarantee legal protection for children in Domestic Violence Cases? Are there any protection efforts by the Aceh Government and the Women's Empowerment, Child Protection and Family Planning Service of East Aceh Regency? From the construction above, there are three main formulations in this research, including: First, how is the role of DP3AKB Aceh Regency in guaranteeing legal protection for children in domestic violence? Second, what are the efforts and obstacles of DP3AKB East Aceh Regency in guaranteeing legal protection for children? Third, how should legal protection against child violence be in DP3AKB East Aceh Regency?

## **METHOD**

The research method used is normative legal research using primary data and secondary data. The secondary data that is focused on are primary legal materials, secondary legal materials, and tertiary legal materials to be a reference in answering the formulation of the problem. The secondary data studied is the regulation of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, PERPPU No. 1 of 2016.

Then it will also be seen how the doctrines of legal experts, postulates related to children, and observers of Islamic child law. The research approach used is a legislative approach carried out by examining the norms of laws and regulations related to the legal issues to be resolved. The conceptual approach is carried out by studying, researching, and understanding the concepts of legal protection and child protection in the context of positive law, preserving the conceptual foundation for the formation of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, PERPPU No. 1 of 2016. Third, a philosophical approach is an approach that is carried out with a perspective or paradigm that aims to explain the core, essence, or wisdom behind the object of regulation of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, PERPPU No. 1 of 2016.

## **RESULT AND DISCUSSION**

### **The role of DP3AKB East Aceh Regency in ensuring legal protection**

#### **1. Profile of DP3AKB East Aceh Regency**

The establishment of the DP3AKB of East Aceh Regency through the Qanun of East Aceh Regency Number 2021 concerning the Second Amendment to the Qanun of East Aceh Regency Number 4 of 2016 concerning the Establishment and Composition of the Regional Apparatus of East Aceh Regency. The norms for the establishment of the DP3AKB of East Aceh Regency are stated in Article 2 letter d number 5 explaining that the Women's Empowerment, Child Protection and Family Planning Service is a type b service. Its main task is to carry out government and development affairs in the fields of women's empowerment, child protection, population control and family planning.

Then the functions of the DP3AKB of East Aceh Regency include (Asmulyad, 2024): First, the formulation of technical policies in the field of women's empowerment, child protection, population control and family planning. This technical policy concerns the basic implementation of the service policies that have been agreed upon by the annual budget of the East Aceh District Government. Second, providing support for the implementation of government in the field of women's empowerment, child protection, population control and family planning. Third, coaching and implementation of appropriate tasks in the field of women's empowerment, child protection, population control and family planning; and Fourth. Implementation of other tasks given by the East Aceh Regent in accordance with his duties and main function.

Institutionally, DP3AKB East Aceh Regency has the main task in the field of child protection, namely implementing the formulation and implementation of policies on the

collection, processing, analysis and presentation of violence against children, and the fulfillment of children's rights and special protection for children. Child protection is included in the main function of the child protection sector as follows: a) Collection, processing, analysis and presentation of data on violence against children in East Aceh Regency; b) Implementation of facilitation of fulfillment of children's rights (PHA) in government, non-government and business institutions; c) Strengthening and developing institutions providing services to improve the quality of life of children and child protection; d) Implementing coordination of prevention of violence against children; e) Implementing coordination of prevention of services for children who need special protection; f) Implementing coaching, strengthening and development of institutions providing services for children who need special protection; and g) Implementation of other tasks assigned by the leadership or regent in the annual work program. Sementara ini DP3AKB Kabupaten Aceh Timur dipimpin oleh Muslidar, S.H., dibawah Ir. Mahyudin selaku pejabat Aceh Timur (Alfata, 2024).

## **2. Role of DP3AKB East Aceh Regency**

Normatively, the role of DP3AKB East Aceh Regency is an extension of Presidential Regulation Number 65 of 2020 concerning the Ministry of Women's Empowerment and Child Protection. The field of fulfilling children's rights functions as follows: a) Formulation of policies in the field of fulfillment of children's rights; b) Coordination and synchronization of policy implementation in the field of fulfillment of children's rights; c) Preparation of norms, standards, procedures, and criteria in the field of fulfillment of children's rights; d) Provision of technical guidance and supervision in the field of fulfillment of children's rights; e) Preparation of data on fulfillment of children's rights; f) Monitoring, analysis, evaluation and reporting of policy implementation in the field of fulfillment of children's rights; g) Administrative violations in the field of fulfillment of children's rights; and h) Implementation of other functions assigned by the Minister or parallel heads of provincial and district/city regions (Muslidar, 2024).

Special protection for children is also regulated in Presidential Regulation Number 65 of 2020 which regulates the formulation of policies, coordination and synchronization of policy implementation in the field of special protection for children, including: a) Formulation of policies in the field of special child protection; b) Coordination and synchronization of the implementation of policies in the field of special child protection; c) Preparation of norms, standards, procedures, and criteria in the field of special protection; d) Provision of technical guidance and supervision in the field of special child protection; e) Provision of services for children who require special protection that require coordination at the national and international levels; f) Preparation of special child protection data; g) Monitoring, analysis, evaluation and reporting on the implementation of policies in the field of special child protection; h) Implementation of administration in the field of special child protection; and i) Implementation of other functions assigned by the Minister, or in parallel with the head of the province, district or city (Salam, 2024).

## **Guarantee of legal protection for children by DP3AKB East Aceh**

Child protection is a fundamental right that is inherent because of human rights that have been inherent since birth in the world or while still in the womb based on the laws stated and applicable laws and regulations such as human rights regarding the right to physical, mental and social growth and development in full and the right to protection from violence and discrimination by anyone based on the law as a guarantor so that in the future they can be useful for the nation, religion and family (Hanapi, 2014).



Protection of children's rights is very necessary, children must be protected so that they do not become victims of any actions either by other people or in their own family environment, either directly or indirectly, because children are part of the citizens who will be useful in the future, children must also be protected by parents providing a sense of security and comfort, but in reality there are still many problems related to violence by parents against children (Fitriani, 2016).

According to information from the DP3AKB of East Aceh Regency, cases of sexual harassment are increasingly vulnerable to occur, for example in 2023 there were 19 cases of child abuse. The DP3AKB of East Aceh Regency has made efforts to carry out preventive measures by mobilizing community welfare educators (PKK) whose job is to interact directly with the community. These PKK activities are usually carried out by providing socialization, educating problems to high schools, and Islamic boarding schools in East Aceh (Alfata, 2024).

Some cases explain that child abuse often occurs because the parent figure is not present, or the father and mother have not finished with themselves so that the child becomes a rage of emotion. Children usually do not know the origin of the problem because they are figures who are still free from certain influences (Suyanto, 2024).

Another case found in East Aceh is the high level of sexual harassment due to the misuse of the internet with pornographic content on human behavior which is extraordinary, including problems with sexuality, mental health and addiction to sex (Tim Redaksi, 2023).

The two cases above actually require legal protection efforts from the DP3AKB of East Aceh Regency so that it is hoped that the government is required to provide facilities and organize comprehensive health efforts for children so that every child obtains an optimal level of health. Cooperation with parents must also be established, parents must be educated so that promotional efforts to positive values are well maintained and stable (Putri, 2021).

This means that legal protection for children who are victims of violence and sexual abuse must be present by the state, the government must not ignore every child's rights guaranteed by the constitution. The state upholds human rights, including children's human rights which are marked by the guarantee of legal protection. Because children are an inseparable part of human survival and the sustainability of the nation and state. Every child's rights must be protected so that the child is expected to grow and develop optimally both physically, mentally and socially. For this reason, it is necessary to carry out comprehensive protection efforts by the DP3AKB of East Aceh Regency with a program to provide guarantees for the fulfillment of their rights without discriminatory treatment.

### **Efforts and Obstacles of DP3AKB East Aceh Regency Child Protection in terms of Guaranteeing Legal Protection**

Cases of child abuse in East Aceh tend to increase every year, one of the researcher's findings is that violence against children occurred and the act was carried out while raping a girl with 16 young men, which is sad because the girl was invited by her boyfriend and had sex properly, then the girl was gang raped by six young men. Indeed, this case has been handled by the East Aceh Police, but the efforts of the East Aceh DP3AKB are not optimal, there should be special assistance for the girl behind the legal side, the girl must be healed from her psychological side. Both the legal and psychological sides must be a serious concern for the East Aceh DP3AKB, and the East Aceh Regency Government is also required to pay serious attention to handling the case of the child a quo above so that the East Aceh DP3AKB runs optimally in accordance with the work achievements expected by the community.

One of the child activists in East Aceh, Nazaruddin, explained that child violence often occurs in the core family circle in East Aceh, the East Aceh DP3AKB should have comprehensive and promotive efforts to resolve the case. The East Aceh District Government through the a quo Service is required to provide legal assistance for children who are victims or educate parents who have problems (Hidayat, 2023).

How should the DP3AKB East Aceh Regency's prevention efforts against violence against children have the potential to reduce the occurrence of violence as follows: First, DP3AKB East Aceh Regency must innovate integrated community-based child protection (PATBM). An effort made by inviting the community through socialization with several activists who care about child protection issues and are called community-based child protection activists. This effort is also made to train the community, especially policy makers in the village or village apparatus such as geuchik, village figures, youth leaders, PKK and all apparatus that can drive activities in the village. Through this PATBM, the role of family functions is introduced, especially the function of parenting which has so far been ignored by families, who assume that the function of parenting is the responsibility of teachers and ustadz. However, in reality this is not the case, PATBM reminds us again that the function of parenting and the responsibility of parenting are not only on one parent, either the mother or the father, but on both (Al Adawiah, 2015).

Second, DP3AKB East Aceh Regency must carry out outreach regarding child protection norms. In this case, the East Aceh DP3AKB introduces the community to what child protection is? How should children be protected? How should children have their rights fulfilled? And the public must be better informed about child protection in laws or religious norms and local customary norms. Parents sometimes still take for granted the rights and obligations that each child must fulfill. For this reason, society must be introduced to child protection so that the continuity of children's lives is more guaranteed (Suyanto, 2016).

Third, DP3AKB East Aceh Regency must maintain a safe community mechanism. In this case, the counseling is almost similar to PATBM, but what distinguishes it is that the safe community mechanism discusses more deeply because it includes violence against women. By introducing gender equality between women and men and between children and parents. The majority of people still think that the main stakeholders in the family are only men so that whatever is ordered or done has become commonplace in the family, until violence occurs unconsciously such as raising their voices against children. With the existence of a community, if there is violence in the area, efforts can be made to resolve it by the community until it is controlled. However, if the problem still cannot be handled, it can be referred to the relevant regional service agency such as DP3AKB (Asyhrafi, 2020).

Fourth, DP3AKB East Aceh is required to protect children from pornography through cooperation with the East Aceh Communication and Information Service. In today's technological developments, as we already know, children are no longer unfamiliar with gadgets or cellphones. So it is not uncommon for children who are still in school to be exposed to pornographic content. For this reason, DP3AKB is building cooperation with all SKPK East Aceh to move in prevention and handling in pornography. DP3AKB also coordinates with the Education Office which supervises the issue of pornography that has mushroomed among children via smartphones. The results of a survey in 2018 conducted by the Aceh Provincial Ministry of Health which took samples in East Aceh Regency, namely 5 superior schools and 5 regular schools, there were children who were still in junior high school who had been exposed to pornographic content so that there were children who had been infected to the level of addiction (dependence) (Seomitra, 1990).

Fifth, DP3AKB East Aceh should have made efforts to socialize deviant parenting patterns towards children. Through the DP3AKB East Aceh work unit with support from UPTD, they have worked hard according to their mandate. However, it cannot be denied that in carrying out their duties and functions there are various obstacles and challenges that are also increasingly complex. These obstacles and challenges do not only occur at the district level but also at the sub-district level in East Aceh so that integrated handling is needed and ensuring the involvement of village officials in preventing violence against children, because there are still many people who do not know how good parenting patterns are for children. For this reason, it is introduced how good and structured parenting patterns are so that people can distinguish between parenting patterns that are suitable for children and which parenting patterns are not suitable for the child's growth and development, such as not raising their voice when the child is naughty, not hitting and pinching when the child is naughty, not forcing children to do things that they cannot do and so on (Karawaci, 2015).

Based on the description above, it can be seen that in its implementation, the DP3AKB of East Aceh Regency is not only carried out for the protection of children in the domestic sphere, but also as a form of prevention in the public sphere for children.

### **Obstacles of DP3AKB East Aceh Regency in ensuring legal protection for children**

The increasing number of cases in East Aceh regarding child abuse has led to findings in the field. This has become a bright spot for the obstacles faced by the DP3AKB service in carrying out its duties as a community supporter as follows: First, the DP3AKB of East Aceh Regency in carrying out its duties and functions is too slow to respond in providing counseling on problems for children. The role carried out by the Aceh government, especially the DP3AKB of East Aceh, has not yet been developed by all sub-districts to be able to continue what has been carried out by the DP3AKB such as the roles mentioned above because there are still few officers deployed to each sub-district (Mustikasari, 2023).

Second, DP3AKB East Aceh lacks cooperation with the community regarding responsibility for children's problems. The a quo agency must foster a sense of community concern which is still very minimal regarding violence against children around them, this is proven by the existence of people who only watch and let it happen when there is violence against children committed by their own parents. Because in the view of society they do not want to interfere in other people's family problems (Emster, 2023).

Third, DP3AKB East Aceh Regency has not been able to partner with the community so that the community is afraid and embarrassed to express complaints to DP3AKB. The community does not want their family problems to be known by others and they are afraid and embarrassed if the problem becomes the talk of the public. Therefore, they prefer to choose to remain silent and keep the problem from being known by others (Hyoscyamina, 2011).

Fourth, the DP3AKB of East Aceh Regency has not been able to partner with the community so that some people or families think that hitting children is a common thing in educating children, this is due to the patriarchal culture that is inherent in society (Fitriani, 2016).

Fifth, the DP3AKB of East Aceh Regency has not received an optimal budget and is considered very minimal, especially for the protection of women and children, because it is possible that policy makers still think that this problem is not a major issue in terms of the responsibility of the Regional Government, so that the program that the DP3AKB wants to design is hampered.



This means that the constraints of the DP3AKB of East Aceh Regency and some people still consider that educating children by hitting is still a reasonable thing to do on the grounds that children will be more obedient and strong in facing their surroundings. The lack of sensitivity in society is the most influential factor in the performance process of the DP3AKB of East Aceh Regency. Looking at the real data above, there is an increase in violence against children and even rape of children that occurs within the family environment.

The author's analysis based on the description above that the prevention efforts that have been carried out by the DP3AKB of East Aceh Regency can be carried out more routinely so that these activities can become a habit for the community to provide reports or complaints to the government, especially the DP3AKB of East Aceh. Thus, the community feels more supported by the government. This is also a concern to focus on the implementation of DP3AKB prevention efforts in the sub-districts in East Aceh. Implementation of duties, efforts made by the DP3AKB a quo have not been effective in making efforts to prevent what happens to children. Because there are still many people who are not aware and understand the existence of laws that regulate violence related to child care patterns. In carrying out counseling in the area, the DP3AKB a quo can pay more attention to the implementation of prevention carried out by the relevant SKPK within the Aceh Regency Government. And moreover, the lack of community resources that are still lacking in each sub-district is one of the shortcomings that should be considered by DP3AKB East Aceh so that they can pay more attention to the fulfillment of officers on duty in each region, with these efforts can reduce the occurrence of violence against children. From the description that has been explained above, the author concludes that efforts to prevent violence against children by DP3AKB a quo are still not effective.

### **Legal Protection for Children from Acts of Violence at the DP3AKB of East Aceh Regency**

#### **1. Ideal concept of legal protection against child violence in DP3AKB East Aceh Regency**

The ideal concept of legal protection for children has indeed been regulated normatively and legally, but further understanding is needed on how ideal legal protection for children is. What are the backgrounds to the urgency of a quo legal protection. In the considerations of Law Number 35 of 2014 concerning Child Protection, every child has the right to survival, growth and development and has the right to protection from violence and discrimination. Then also children as shoots, potential, and young generations who continue the ideals of the nation's struggle have a strategic role, special characteristics and traits so that they must be protected from all forms of humanity that result in human rights violations.

Child protection in question is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and honor, and receive protection from violence and discrimination. Article 21 of Law Number 35 of 2014 emphasizes that the state, government, and regional governments are obliged and responsible for respecting the fulfillment of children's rights without distinguishing between tribe, religion, race, group, gender, ethnicity, culture and that, legal status, birth order, and physical and/or mental condition (Nurihsan, 2013).

The concept of norms is very ideal because in Article 21 paragraph (4) of the a quo law it is stated that in order to guarantee the fulfillment of children's rights and implement policies, the local government is obliged and responsible for implementing and supporting national policies in organizing child protection in the region. However, the facts in the field

show that the ideal concept is not supported by a comprehensive budget, DP3AKB East Aceh Regency in the budget year did not receive real support from the local government (Kamil, 2008).

In fact, the ideal concept of legal protection must be taken by the state or central government, DP3AKB East Aceh Regency becomes a vertical institution of the central government so that the budget from the APBN aspect can be disbursed properly and carefully. APBK East Aceh Regency often does not touch on legal protection for children who are victims of child abuse.

The concept of legal protection gives a portion to the state, government, local government, society, family and parents who are obliged to provide protection and guarantee the fulfillment of children's human rights in accordance with their duties and responsibilities. Protection of children that has been carried out so far has not provided a guarantee for children to receive treatment and opportunities that are in accordance with their needs in various areas of life, so that in implementing efforts to protect children's rights by the government must be based on the principle of human rights, namely respect, fulfillment, and protection of children's rights (Dewi, 2020).

In fact, the ideal concept of protecting children who are in conflict with the law, children from minority groups, children from victims of economic and sexual exploitation, children who are trafficked, children who are victims of riots, children who are refugees and children in situations of armed conflict, Child protection is carried out based on the principle of non-discrimination, the best interests of the child, respect for the child's opinion, the right to live, grow and develop. In its implementation, the 1945 Constitution is related to the guarantee of human rights, namely that children as humans have the same rights to grow and develop. Although legal instruments have been owned, in its journey Law Number 23 of 2002 and Law Number 35 of 2014 have not been able to run effectively because there is still overlap between sectoral laws and regulations related to the definition of children. On the other hand, the rampant crimes against children in society, one of which is sexual crimes, requires increased commitment from the Government, local governments, and the community as well as all stakeholders related to the implementation of child protection (Anjari, 2020).

This means that the child protection that is to be achieved is to protect Indonesian children from all aspects of activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with human dignity and honor and receive protection from violence and discrimination.

## **2. Choice of legal protection model against child violence in DP3AKB East Aceh**

DP3AKB East Aceh Regency must be able to make a choice of legal protection model against child violence in East Aceh Regency. One of the researcher's proposals is to apply progressive law in Law 35 of 2014 concerning Child Protection. The main function of progressive law is to regulate order in this case, the order of state apparatus towards the fulfillment of children's rights. Child violence in East Aceh Regency must receive attention and receive justice from the state so that the form of the goal of child protection is achieved properly (Faida, 2020).

Legal protection for children is an effort to protect various fundamental rights and freedoms of children, as well as various interests related to the welfare of children. Legal protection for children covers a wide scope. From a state perspective, the state protects its citizens including children, which can be found in the opening of the 1945 Constitution which is reflected in paragraph IV, in its elaboration of CHAPTER XA on Human Rights, especially for the protection of children, Article 28B paragraph (2) of the 1945 Constitution

states that every child has the right to survival, growth and development, and has the right to protection from violence and discrimination. Legal protection is all efforts made consciously by every person or government institution, even the private sector, which aims to secure, control, and fulfill the welfare of life in accordance with existing human rights.

The choice of legal protection models that we wish to actualize are as follows (Mahdinur, 2024): a) The East Aceh District Government in this case DP3AKB must be able to innovate to provide a choice of legal protection models that will be implemented in East Aceh; b) The East Aceh District Government cooperates with law enforcement in terms of fulfilling the sense of justice for victims, victim families, and the community and imposing maximum penalties on perpetrators of child violence; c) The East Aceh District Government firmly supports a professional budget for child legal protection; d) The East Aceh District Government requires the East Aceh District SKPK to implement a child-friendly environment; e) The East Aceh District Government educates residents as a priority program for child protection; and f) The East Aceh District Government implements a qanun that requires a 20% budget for the protection of East Aceh children.

## **CONCLUSION**

There are three conclusions explained in the study of legal protection for children as victims of domestic violence, sexual violence, and others. First, the role of the DP3AKB of East Aceh Regency has normatively and legally mandated that children must be guaranteed and protected by law. This is also mandated by Law Number 35 of 2014 concerning Child Protection, Presidential Regulation Number 65 of 2020 concerning the Ministry of Women and Child Protection. Aceh Qanun Number 11 of 2008 concerning Child Protection. However, the facts in the field, the East Aceh Regency Government does not support it from a budgetary aspect, the East Aceh Regency Government should consider this DP3AKB as a strategic service to build the Acehnese nation and the Indonesian nation with superior human resources. However, children are also part of the gift and mandate of Allah SWT who are the next generation of the nation and state, therefore they are entitled to the right to receive a guarantee of a decent life, the widest possible opportunity to grow and develop both physically, mentally and spiritually and receive optimal protection from parents, family, society and government so that they are able to become independent, responsible and noble human beings. DP3AKB East Aceh must be more proactive in establishing cooperation with international partners so that government programs related to child protection are carried out properly and are an integral part of the main policy of the East Aceh Regency Government.

Second, in the implementation of the work program, the DP3AKB of East Aceh Regency has attempted to map out efforts and obstacles in ensuring legal protection. Among other things, the DP3AKB of East Aceh Regency must innovate integrated community-based child protection (PATBM). The DP3AKB of East Aceh Regency must conduct socialization on child protection norms. In this case, the DP3AKB of East Aceh introduces to the community what child protection is? How should children be protected? How should children's rights be fulfilled? And the community must be more introduced to child protection contained in laws or religious norms, and local customary norms. The DP3AKB of East Aceh Regency must maintain a safe community mechanism. In this case, the counseling is almost similar to PATBM, but what distinguishes it is that the safe community mechanism discusses it in more depth because it includes violence against women. The DP3AKB of East Aceh is obliged to maintain child protection against pornography through cooperation with the East Aceh Communication and Information Service. In today's technological developments, as we already know, children are no longer

unfamiliar with gadgets or cellphones. The DP3AKB of East Aceh should have made efforts to socialize deviant parenting patterns towards children. Through the DP3AKB Aceh Timur work unit with the support of UPTD, it has worked hard according to its mandate. However, it cannot be denied that in carrying out its duties and functions there are various obstacles and challenges that are also increasingly complex.

Then the obstacle of DP3AKB East Aceh Regency is the lack of cooperation with the community regarding the responsibility for children's problems. The a quo agency must foster a sense of community concern which is still very minimal regarding violence against children around them, this is evidenced by the existence of people who only watch and let it happen when there is violence against children committed by their own parents. DP3AKB East Aceh Regency has not been able to partner with the community so that people are afraid and embarrassed to express complaints to DP3AKB. DP3AKB East Aceh Regency has not been able to partner with the community so that some people or families think that hitting children is a common thing in educating children. DP3AKB East Aceh Regency has not received an optimal budget and is classified as very minimal, especially for the protection of women and children.

Third, the ideal concept of legal protection against child abuse in DP3AKB East Aceh Regency. This is stated in the considerations of Law Number 35 of 2014 concerning Child Protection that every child has the right to survive, grow and develop and has the right to protection from violence and discrimination. DP3AKB East Aceh Regency must be able to make a choice of legal protection model against child abuse in East Aceh Regency. One of the researcher's proposals is to apply progressive law in Law 35 of 2014 concerning Child Protection. The main function of progressive law is to regulate order in this case, the order of state apparatus towards the fulfillment of children's rights.

The researcher's suggestion is expected to DP3AKB East Aceh Regency to optimize its role, function and duties as a public servant so that the guarantee of legal protection for children in cases of domestic violence, sexual violence, and others are resolved through court and non-court mechanisms. Financing of DP3AKB East Aceh Regency must be a priority so that cases of child violence can be given legal assistance and psychological assistance to children affected by cases of domestic violence, sexual harassment, and others. It is hoped that the efforts of DP3AKB East Aceh Regency in guaranteeing legal protection for children will be further improved, there must be an innovation program and cooperation between related agencies so that East Aceh can become a child-friendly city. Then related to the obstacles faced, this can be minimized in the latest budget year program so that the obstacles are used as a benchmark for obtaining a quality work program. Finally, it is hoped that the ideal program idea offered by the author can be used as a basis for making policies for the DP3AKB East Aceh Regency work program. Research partners are also expected to be able to resolve problems regarding legal protection for children in cases of domestic violence, sexual harassment and others.

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