



The level of awareness of the community of Sibolga City and its surroundings about the Law on Child Protection

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Abstract: This research is motivated by the fact that the rate of convictions is high in cases of criminal acts of violence against children. Data from the Sibolga City District Court, whose jurisdiction covers Sibolga City and its surroundings, shows that there have been 143 cases of violence against children in the last 6 years. The aim of this research is to analyze the level of awareness of the people of Sibolga City and its surroundings regarding the Child Protection Law. The method used in the research is empirical legal research (sociology) to see the level of awareness of the people of Sibolga City and its surroundings regarding child protection laws. The approach taken in this research was by distributing questionnaires using Google Form with the results of 89 respondents consisting of 58.4% women and 41.6% men with various jobs such as 67.4% in the private sector, 30 civil servants/ASNs. .3% and the rest is BUMN/BUMD. The results of this research show that the level of knowledge of the people of Sibolga City and its surroundings regarding the Child Protection Law is 93.3% aware that there is a law regarding child protection, 93.3% know about the existence of children's rights, 93.3% of parents do not have committed violence in the form of discrimination, neglect, exploitation of children, and 97.8% have an advisory attitude, meaning they do not commit violence against children who are naughty, rebellious, truant from school, and like to disturb their friends. So the conclusion that can be drawn from this research is that there is no correlation between the high level of violence against children that occurs and the level of legal awareness of the people of Sibolga City and its surroundings.

Keywords: Public Awareness, Child Protection Law

1. Introduction

As a nation based on Pancasila, Indonesia recognizes the principle of humanity on the second floor, that of just and civilized humanity (Sujana, 2019). This demanded justice must be in synergy with the implementation of fair law enforcement (Abdi, 2020). The purpose of law enforcement is to create a humanitarian atmosphere that protects the entire Indonesian people, which means that this people of Indonesia is the whole of Indonesia's society without age limit and also includes humanity for children (Junaidi & Khoiruman, 2023).

Talking about the child means discussing the future of the child's survival in order to satisfy the well-being of life, the exercise of rights and obligations as a form of protection of the rights of children, providing guidance and providing the fulfilment of the needs for their material and spiritual development which will subsequently provide for the independence of children (Puspytasari, 2022). When we look at the current phenomenon it is very worrying because there are some children who are ignored by a lack of understanding of the problem of the child and its development, but does not exclude the possibility of this happening by other factors as the cause (Hartono, 2019).

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If studied further, the protection of the child is the responsibility and obligation of all elements of the nation, not only for certain groups, as can be seen in the Act No. 39 of 1999 on Human Rights (Human Rights Act), as described in article 52, that every child has the right to protection by parents, family, community, and the state. Furthermore, the Constitutional Law of the Republic of Indonesia 1945 (UUD 1945) as a constitution also provides for the protection of the fundamental rights of the child, namely, in Article 28 B (2) which explicitly states that every child has the right to survival, growth, and development and is entitled to protection from violence and discrimination. In view of the Act No. 35 of 2014 on Amendments to the Child Protection Law No. 23 of 2002 (Mustikasari & Rostyaningsih, 2019) there are two (two) important points to be emphasized in the enforcement of lasting child protection laws in Indonesia, namely violence and discrimination (KPAI divisi data dan pengaduan, 2021).

Children must be kept away from violence in their lives and must not be discriminated against in their development towards adulthood. Article 20 of the Child Protection Act 2014 clearly emphasizes that States, Governments, local governments, communities, families, and parents or guardians have a duty and responsibility to maintain child protection (Sholihah, 2018). It normatively indicates that society is obliged to protect the child in the life of the child towards maturity, and in order to improve the protection of this child, it is necessary to understand the children's rights contained in the provisions of the law (Nata, 2020). Child protection is an integral part of the dynamic process of development, especially for the development of human resources (Sholihah, 2018).

There are many articles discussing the level of public awareness of child protection laws, including: First: Research conducted by Yuliastini, "Building Legal Awareness About Child Protection for Teachers". The results of his research revealed that criminalization of teachers occurred because it was influenced by various factors, including a lack of understanding by teachers regarding the limits of disciplinary action against students with the concept of child protection, so that it appeared on the surface as if teachers were committing violence against their students and this led to the criminalization of teachers. Meanwhile, there is also the factor of parents losing trust in the school when teachers carry out disciplinary action against their children which is considered violence, resulting in problems between parents, teachers and the school. Based on this, it is important to develop legal communication through legal education to teachers about the concept and importance of child protection, in addition to the importance of the concept of teacher protection given to parents, families and society (Yuliastini & Setiawati, 2020).

Second: Research conducted by Anis Tucinah Sari, "Public Legal Awareness of the Benefits of Child Identity Cards (KIA) in Population Administration Services (Study in Palabuan Village, Sukahaji District, Majalengka Regency)". The results of his research revealed that the level of public legal awareness regarding the benefits of Child Identity Cards (KIA) in population administration services in Palabuan Village, Kec. Sukahaji,

Kab. Majalengka is medium. This is proven by the results of research on 4 (four) indicators including the high level of community legal knowledge, the high level of community legal understanding, the number of community legal attitudes that do not agree, and the number of community legal behaviors that are less appropriate for the benefits of Child Identity Cards (KIA) in administrative services. population. Educational factors tend to have no effect on the level of public legal awareness regarding the benefits of Child Identity Cards (KIA), while disciplinary factors and motivational factors tend to have a positive effect on the level of public legal awareness regarding the benefits of Child Identity Cards (KIA) in population administration services (Sari, n.d.) .

Third: Research conducted by Simbolon "Community Participation in Sustainable Child Protection as a Form of Legal Awareness" The results of his research reveal that community participation has a major role in child protection, both in the form of active and passive participation. At the end of this article, the author tries to initiate the cultivation of sustainable child protection in the midst of social life. So it can be concluded that public awareness of community participation in child protection will influence sustainable child protection (Simbolon, 2016).

The same thing happened in the city of Sibolga. It has been recorded that cases of violence against children in the City of Sibolga continue to be a serious concern for all of us have been registered throughout the year 2018 until 2023 there are recorded as many as 143 cases of violent cases that affect children have been tried by the State Court of City of Sipolga which every year is experiencing a decline .

The phenomenon prompted his investigation into the level of public legal awareness of the issue of violence against children. Whether there is a correlation between the high level of violence against children and the level of public awareness of the law, is what prompted this research.

2. Materials and Methods

This research is an empirical (sociological) law study to look at the level of legal awareness of the people of Sibolga City and its surroundings to the problem of violence against children (Nurhayati et al., 2021).

Red: Female, Blue: Male.

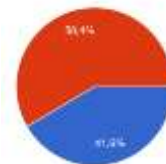


Figure 1. Gender diagram of the Sibolga community who were used as informants

The data was obtained by disseminating the questionnaire with google form with the results that the researchers were able to obtain, respondents of 89 people consisting of 58.4% women and 41.6% men.

Blue: Private

Red: civil servants

Green: BUMN

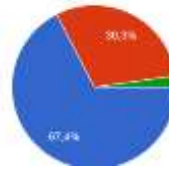


Figure 2. Job diagram of the Sibolga community who were used as informants.

With various jobs such as private as 67.4% PNS/ASN as 30.3% and the rest BUMN/BUMD

3. Results and Discussion

3.1. Public Awareness of the Child Protection Act

The research was carried out by giving a number of questions through google forms to the population of Sibolga and its surroundings about the Child Protection Act. From the results of the study it is known that the level of knowledge of the people of Sibolga and its neighborhoods about the Children Protection Act, a total of 93.3% know about the existence of the law on child protection. And can be seen from the diagram below.

Blue: You know

Red: Don't know

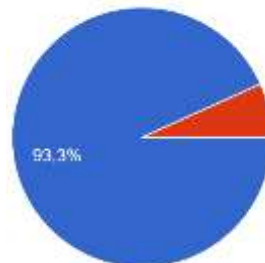


Figure 3. Diagram of the results of distributing questionnaires to the public regarding the Child Protection Law in Sibolga City

The research was carried out by giving a number of questions through google forms to the population of Sibolga and its surroundings about the Child Protection Act. From the results of the study it is known that the level of knowledge of the people of Sibolga and its neighborhoods about the Children Protection Act, a total of 93.3% know about the existence of the law on child protection.

Public awareness of the Child Protection Act is an important point in enforcing the child protection law. Public participation in the enforcement of the law on child protection will strengthen children's confidence that society will protect them from the threat of harm until they grow up.

Law enforcement will always involve human beings in it, thus involving human behavior as well. He is not able to fulfil the promises and wills of the law. Such promises and wills are, for example, to give rights to someone, to provide protection to

somebody, to impose penalties on someone who meets certain conditions, and so on. (Hasaziduhu Moho, 2019)

Social behavior is not an uncontrollable human act. It is not just a spontaneous movement that is demanded by the uncontrollable will of the people in society. People's behavior in a society is called social behaviour because it meets certain conditions. Man does not fulfill life with him by creating a legal system, but rather by building a society. From the coexistence of the so-called society, the law is born. It's society that's the container and the activity of its members. So the first homework is to build a life together on the individual of its members. The first capital for building a living together is to have mutual trust between the members. Without that capital there is only a group of a number of human beings living in a particular geographical area (Ariyanti, 2019) .

The thickest group that emerges from living together is the community. (gemeinschaft). Delanty stated that the sticker of faith that binds its members to feel one is very strong. Arif Gosita stated that the protection of children is a legal act that has legal consequences. Therefore, there is a need for legal guarantees for child protection activities (Iqsandri, 2022). In order for the public to participate in the sustainable protection of children, the implementation of good child protection must, inter alia, meet some of the following requirements:

1. Participants in the development and implementation of child protection must have an appropriate understanding of the protection of children, so that they can behave and act properly in dealing with and addressing problems relating to child protection.
2. The protection of children must be carried out jointly between every citizen, individual and collective members of the community, and the government in the common interest and national interests of achieving the aspirations of the Indonesian nation.
3. Cooperation and coordination are needed in launching rational, responsible and beneficial child protection activities among the participants concerned. All forms of unnecessary confrontation should be avoided, and positive, educational, and constructive communication should be further developed in the implementation of child protection.
4. In order to make the wisdom and work plan that can be implemented, it is necessary to try to inventory the factors that hinder and support child protection activities. Any issues that could be criminogenic or victimogenic in the implementation of child protection should be investigated.
5. In making offensive provisions and regulating the protection of children in various legislative provisions, we should give priority to a regulated perspective, not to what regulates, and to a protected, not a protective perspective. Legal certainty must be pursued for the survival of child protection activities and for the prevention of unwanted negative consequences. Don't try to protect the child, the child doesn't even get protection. Abuse of power must be prevented and

opportunities for self-benefit must be sought in situations and circumstances that are difficult for others.

6. Child protection must be reflected and implemented in the various spheres of national and social life. In order to implement child protection, every member of the community, in cooperation with the government, must contribute to creating situations and conditions that enable the development of child protection directly or indirectly in various areas of life.
7. Good child protection must have philosophical, ethical, and jurisprudential foundations. These foundations are guidelines for assessing and evaluating whether the provisions made and the implementation planned are really rational positive, which can then be held accountable and beneficial to the person concerned. These bases can be taken and developed for Pancasila, UUD 1945, teachings, and a positive view of religion or social values traditional or modern.
8. Good children protection should have the basis of philosophy, ethics, and juridics. Such bases are guides for examining and evaluating whether the arrangements made and implementation Planned is truly rationally positive, that can subsequently be held responsible and useful to the interested person.
8. The implementation of child protection activities must not cause the person concerned to feel unprotected, as it causes suffering or loss to a particular participant. Child protection, among other things, is a preventive activity in which victims or crimes do not themselves cause victims, so child protection must be preventive. In addition, the protection of children must be based on the development of their fundamental rights and obligations. The protection of children in the fields of health, education, and personality-building is based on the universal rights of the child. (adults, and children, both human beings, and citizens).

3.2. Public Awareness of the Rights of the Child

Relation In the general sense, the attention is not only in science, but can be observed from the centralist point of view of life, such as religion, law and sociology that makes the child more rational and actual in the social environment (Mintarsih, 2021). In this case the child is positioned as a social group that has a hundred social lower than the community in the environment where they interact. The significance of a child in this social aspect leads more to the protection of the child's own identity (RI, 2019).

In the terms of the Convention on the Rights of the Child of 20 November 1989, which was ratified by Indonesia by Presidential Decree No. 36 of 1990, it is stated that children must be fully prepared for life. The definition of children in the Indonesian legal system has not yet been uniform, each legislation provides a different age limit for children. So from sharing the defence about the above child can actually be taken a red thread that describes what or who is really meant by the child and the various consequences that he obtained as the holder of the child's title (Amnesti & Indrawati,

2020). The conception of a child legally, where the concept of the child is placed as the object and the main subject in a process of legitimation, generalization and systematization of the rules governing the child

Blue: You know

Red: Don't know

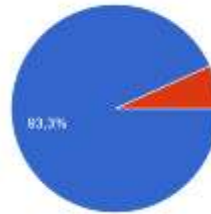


Figure 4. Diagram of the results of distributing a questionnaire to the community regarding children's rights in Sibolga City

The research was carried out by giving a number of questions through google forms to the people of Sibolga and its surroundings about the rights of the child. From the results of the study obtained the level of knowledge of the population of sibolga city and its neighborhoods about children's rights of 93.3% know about the existence of the Law on the protection of children. And can be seen from the diagram below.

The State and Government of the Republic of Indonesia have the obligation and responsibility to respect and guarantee the fundamental rights of every child without distinction of race, religion, race, group, gender, ethnicity, culture and language, legal status of the child, order of birth, and physical and/or mental condition. States and governments also have the obligation and responsibility to provide means and means of support in the maintenance of child protection. The provisions concerning the obligations and responsibilities of States and Governments are contained in the provisions of Articles 21 and 22 of the Child Protection Act. Articles 23 and 24 of the Children's Protection Act regulate the state and government guarantees for the maintenance of child protection. States and Governments guarantee the protection, maintenance and well-being of the child, taking into account the rights and obligations of parents, guardians, or other persons legally responsible for the child. The guarantees given by the state and the government are followed by supervision in the maintenance of child protection. The obligations and responsibilities of the public for the protection of children as laid down in article (Pratiwi et al., 2022).

The obligation and responsibility of the public for the protection of children is implemented through the activities of the community's role in the maintenance of child protection. Article 72 (2) of the Act on the Protection of the Child states that the role of the community is performed by individuals, child protection institutions, social institutions of society, public self-government, educational institutes, religious institutions and corporations, and the mass media. Article 26 of the Children's Protection Act regulates the obligations and responsibilities of the family and parents. Parents have a duty and responsibility to: a. nurture, raise, educate, and protect the

child; b. develop the child in accordance with the child's abilities, care and interests; c. prevent the occurrence of marriage at the age of children. d. Provide character education and cultivation of goodwill in the child (Muhaemin, 2016).

The State as the highest and strongest organization also has a large share in the protection of the rights of the child established by the enactment of regulations on the provision of protection to the child so that there is legal guarantee for the activities of child protection that will later affect the survival of activities of protection of children and prevent interference in the implementation of protection for children. The measures of protection against children implemented by the government is an arrangement of the purpose of the State is to protect the nation and the state and for the common welfare. Parents have a greater role to play in protecting their children because they are part of the core family so that every need of the child, whether physical or spiritual, must be met by them, but the community also plays a role in safeguarding children's rights. Roles and societies can be realized by ining the rights of children when they are outside the home so that they will still feel comfortable being outside the house. The elements of the community involved in the protection of children are not just individuals, but also community organizations, community institutions, the Commission on the Protection of Children, other organizations that have a concern for the protection and welfare of children (Hari Alijana, 2022).

The Child Protection Act states that child protection is intended to guarantee the fulfilment of the right of the child to live, grow, develop and participate in an optimal manner in accordance with the dignity and dignity of humanity, and to be protected from violence and discrimination for the realization of a qualified, noble and peaceful Indonesian child. The rights of the child in the Human Rights Act are governed by the provisions of articles 52 to 66. The Child Protection Act regulates the rights and obligations of children. The rights of children are governed by the provisions of Articles 4 to 18. The rights of the child enumerated in the Act on the Protection of the Child include, inter alia, the right: (a) to be able to live, grow, develop and participate in a reasonable manner in accordance with the dignity and dignity of humanity and to be protected from violence and discrimination b) under a name as identity and status of citizenship (c) to worship according to his religion, think and create according to the level of intelligence and age under the guidance of his parents (d) to know his parents, raised and cared for by his own parents (f) to receive health and social security services according to physical, mental, spiritual and social needs (g) to receive education and teaching in order to develop himself personally and his intelligence level according to interests and talents (h) to obtain exceptional education, rehabilitation, social assistance and maintenance of social well-being for children with disabilities (i) to receive special education for children who have advantages (j) to express and hear their opinions, receive, seek and provide information according to their level of intellect and age for self-development according to values of will and adherence (Alijana & Sa'adah, 2020).

3.3 Acts of violence committed by parents against children

The research was carried out by giving a number of questions through google forms to the citizens of Sibolga and its surroundings about the violence committed by parents against children in the form of discrimination, transfer, exploitation against children. The results of the analysis can be seen from the diagram below.

Blue: Never

Red: No

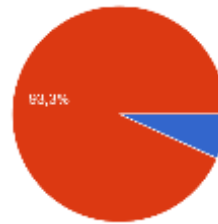


Figure 5. Diagram of the results of distributing a questionnaire to the community regarding parents who have committed violence against their children in the form of crimes.

Child protection is closely linked to the five pillars: parents, families, communities, governments, local governments and the state. Protection of the child is any activity to guarantee and protect the child and his or her rights to live, grow, develop and participate in an optimal manner in accordance with the dignity and dignity of humanity, and to be protected from violence and discrimination. Child protection strives to ensure that every child's rights are not harmed. Child protection is complementary to other rights and guarantees that children will receive what they need to survive, develop and grow. In fact, however, the situation of children in Indonesia remains very worrying, especially as regards the problem of child workers, street children, and children victims of sexual violence, sexual exploitation, and commercial sexual exploitation.

In the Child Protection Act, a violation of the protection of the rights of the child, in addition to being a breach of human rights, also constitutes a major obstacle to the survival and development of children. Children are the shoots, the potential, and the young generation of the successor of the ideals of the struggle of the nation, have a strategic role and have characteristics and special characteristics that guarantee the survival of the existence of nation and country in the future. Article 28B (2) of the Constitution of the Republic of Indonesia states that every child has the right to survival, growth and development and to protection from violence and discrimination. Child protection is closely linked to five pillars: parents, families, communities, governments, local governments and states.

In its simplest form, child protection seeks to ensure that any child's rights are not harmed. Child protection is complementary to other rights and guarantees that children will receive what they need to survive, develop and grow. However, in fact, the situation of children in Indonesia remains very worrying, especially as regards the

problem of child workers, street children, and children victims of sexual violence, sexual exploitation, and commercial sexual exploitations.

The State of the Union of the Republic of Indonesia in guaranteeing the well-being of every citizen of its country, one of which is the protection of the rights of the child, which is one of the human rights. The Government of Indonesia in its endeavour to guarantee and realize the protection and well-being of children was through the establishment of the Act No. 23 of 2002 on the Protection of Children. And in order to adapt to some provisions then made some changes to certain articles then passed the Law No. 35 of 2014 on the Amendment on the Act Number 23 of 2002, on the protection of children. Protection of the child is any activity to guarantee and protect the child and his or her rights to live, grow, develop and participate in an optimal manner in accordance with the dignity and dignity of humanity, and to be protected from violence and discrimination.

3.4 Parents' attitude toward the ugly child, Bandal, School Bolos, Gemar disturbed his friend

The same research was carried out by giving a number of questions through google forms to the community of the City of Sibolga and its surroundings related to the attitude of the parents towards the ugly children, Bandal, School Bolos, Gemar disturbed his friends against the parents of the city of S and the surrounding community. From the results of the research, it has been found that the attitude of parents toward bad children, bandits, school bullies, Gemar interferes with not committing violence against children rather than advising children if they make a mistake. The results of the analysis can be seen from the diagram below.

Blue: Advising

Oren : Punish him

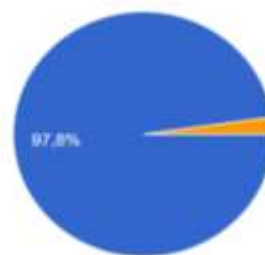


Figure 6. Diagram of the results of distributing a questionnaire to the public regarding parents' attitudes towards children who are naughty, skip school and like to disturb their friends

Cultivating an understanding of sustainable child protection is an urgent need to be taught early to society. Because with the cultivation of an understanding of sustainable child protection, this child protection does not stop when there are hot child cases being discussed. Furthermore, it affects the implementation of existing child protection laws that can be enforced by any person, law enforcement agency, and related parties mentioned in the child protection law on a sustainable basis. (the best life to children).

Legal custody includes the right of parents to make long-term decisions that affect the child's life and how society is able to implement child protection. When you examine the notion of custody, you can see that the legal and physical notions are covered by the notions of custodia. As outlined earlier in the legal custody contains the right and obligation to make a long-term judgment (tentang pendidikan, pelatihan keagamaan, disiplin, pemeliharaan kesehatan, dan hal-hal penting lainnya berkenaan dengan kehidupan dan ke-sejahteraan si anak) (Nur et al., 2022)

Joint legal custody means both parents have the same vote in making the decision above, and no parent has a superior right over the other supported by society. Nursahbari stated that by ratifying the Convention on the Rights of the Child through Presidential Decree No. 36 of 1990, and implementing the rights of the child, there are quantitatively 40 (fourtieth) obligations of the participating States to implement the children's rights. In addition there are four types of child rights: 1) survival rights; 2) protection rights; 3) development rights; and 4) the right to participate. (participation rights). In addition, Maidin Gultom also explains that the cultivation of the principle of child protection should incorporate the following things: 1) Children cannot fight alone is one of the principles used in child protection. Children are the primary capital of the survival of mankind, nation, and family, for which their rights must be protected. Moreover, children cannot defend their rights on their own, because there are many factors that affect their lives. (2) The best interests of the child. In order for the protection of children to be properly organized, the principle that the best interest of children should be regarded as the paramount importance in any decision concerning the child, without this principle, the struggle to protect the child would suffer many obstacles. The principle of the best interest of the child is used because in many ways children are victims, as well as because of child's ignorance society creates worse monsters in later days; 3) The life-circle approach, where child protection refers to the understanding that child protection must begin early and continuously. The fetus that is in the womb needs to be protected with nutrition, including good iodine and calcium through its mother. If she is born, she needs breast milk and primary health care with immunization and other services, so that the child is free from various possible defects and diseases. In preschool and school times, families, educational institutions, and good social or religious institutions are needed (Yuniarti, 2012).

The child has a good opportunity to study, a good time to rest and play, and to determine his own fate. By the time the child is 15-18 years old, he enters a transitional period into the adult world. This period is risky because culturally, a person will be considered an adult and physically perfect enough to carry out his reproductive functions. True knowledge of reproduction and protection from all kinds of discrimination and ill-treatment can enter his role as an educated and responsible adult (Siregar & Wahyudi, 2021).

The protection of the fundamental rights of the pre-adult is also necessary in order to preserve the quality of the future generation. For example, educated parents will give priority to their children's schooling, besides, physically and spiritually

healthy parents will always keep an eye on the behavioral needs, both physical and emotional of their children; and 4) Cross-sectoral, the fate of the child depends on various factors, both macro and micro, both direct and indirect. Poverty, urban exorcism and all kinds of expulsions, an education system that emphasizes lessons and irrelevant materials, a community filled with injustice and so on, so that it cannot be dealt with by the sector, especially the family or the child itself, then the protection of the child is a struggle that requires the contribution of everyone at all levels; 6) The fundamental right to life, survival, and development is the most fundamental right of the child to be protected by the state, government, society, family, and parents.

Rika Saraswati stated that the last basis is the basis of appreciation of the opinion of the child is respect for the child's right to participate and express his opinion in decision-making especially when it concerns matters that affect his or her life. This foundation aims to encourage the participation of children in the realization of their rights in the implementation of all actions taken in the life of the child by including: 1) the right to have an opinion and to obtain consideration of his or her opinion; 2) the right of obtaining and knowing information and to express such information; 3) the right for association to establish a relationship for membership; and 4) the rights to obtain adequate information, protected from incorrect information (Fardian & Santoso, 2020).

4. Conclusions

The conclusion that can be drawn from this study is that there was no correlation between the high rate of mediation in acts of violence against children in Sibolga City and its surroundings with the level of legal awareness of the community. The level of legal awareness of the people of the City of Sibolga and its surroundings about the child protection laws is indeed quite high, i.e.: indicates that the level of knowledge of the population of the city of sibolga as well as its surrounding areas about the Child Protection Act is 93.3% aware of the existence of the law on child protection, 93.3% aware of children's rights, 93,3% parents have never committed violence in the form of discrimination, transfer, expolation against children, and 97.8% behaved cautiously means not to commit violence against children who are bad, bad, out of school, and liked to doubt their friends. However, the high level of legal awareness is not followed by the low rate of mediation in cases of violence against children.

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