



Handling of Sexual Violence against Psychologically Traumatized Children by the Women's and Children's Service Unit at the West Jakarta Metro Police Station

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Abstract

The occurrence of criminal acts of sexual violence is evidence of the vulnerability of women's position, especially against men's sexual interests. Women and children's sexual image as male sexual objects have far-reaching implications, forcing them to face violence, coercion, physical torture, and psychological trauma. This study aims to investigate how the PPA unit or Women and Child Protection of the West Jakarta Metro Police Satreskrim (Criminal Investigation Unit) handles cases of child sexual abuse involving psychologically traumatized children and to identify obstacles faced by the PPA unit in handling cases of sexual violence against children experiencing psychological trauma. This study adopts an exploratory qualitative approach to investigate the relationship between symptoms and forms of handling child sexual abuse cases involving psychologically traumatized children at the PPA Unit in the West Jakarta Metro Police. Police science research combines elements from various fields of knowledge, and the qualitative research method allows for a deep understanding of human behavior. Data were collected through interviews, observation, and document review, and analyzed using the triangulation method. The findings revealed that the PPA unit of the West Jakarta Metro Police Criminal Investigation Unit handles cases of child sexual abuse, providing medical-psychological treatment and rescue action for traumatized witnesses. Obstacle factors in handling such cases include difficulty in finding information, especially non-physical sexual violence, and requesting child testimony. The absence of psychological competence in investigators requires outside experts, causing further coordination and additional time with no direct police control over the assessment method.

Keywords: *Criminal Acts; Sexual Violence; Vulnerability; Women and Children; Psychological Trauma*

Introduction

The problem of sexual violence experienced by women and children exemplifies the subordination of women to men's sexual interests. Placing women and children as sexual objects of men

has severe implications. Women and children face violence, coercion, and physical and psychological torture in their daily lives. Rape not only reflects the image of women as sex objects but also as objects of male power (Wieringa, 2010).

The occurrence of criminal acts of sexual violence is evidence of the vulnerability of women's position, especially concerning men's sexual interests. The sexual objectification of women and children has far-reaching implications for their lives, forcing them to face violence, coercion, physical torture, and psychological trauma. Psychological trauma is a condition that occurs due to events that are shocking and frightening, threatening physical or psychological harm, even to the point of death (Oltmanns & Emery, 2015; Supratiknya, 1995).

Regarding cases of sexual violence against children, it is known from case records at the West Jakarta Metro Police that the number of cases of violence against children in 2021 was 44 and decreased by 11% to 39 at the end of 2022. It was recorded that in 2021, there were 34 cases of sexual violence against children, including sexual abuse and sexual intercourse, and this decreased by 21% to 27 incidents of violence against minors in 2022. Moreover, the crime clearance or settlement of child cases reached 90% in 2022.

Childhood trauma is an experience that is considered unfavorable or harmful to children who experience it. The negative experiences they go through tend to be severe and can have an impact on their adolescence and adulthood. Irwanto & Kumala (2020) mentioned that behaviors formed due to traumatic experiences can be rooted and embedded in children's personality development. The consequences of childhood trauma include obstacles in social relationships (family or friendships) and academics.

Among studies related to the threshold personality that arises from childhood trauma, Christine (in (Anggadewi, 2020)) concluded that there is a relationship between childhood trauma and personality, growth, and development in adolescence or adulthood. Therefore, handling children's psychological trauma as soon as possible by involving competent professionals in the field is essential. Psychological first aid (PFA) is a set of actions provided to help strengthen the mental state of a person in crisis as early and as quickly as possible when they have experienced trauma. PFA is carried out to help individuals develop functional coping in the short and long term due to the stress they feel (Brymer et al., 2006).

When a child is a victim of sexual violence and their attorney or parents report the case to the SPKT, and it is then taken to the PPA Unit or Women and Child Protection, it is expected that a series of Psychological First Aid measures be immediately carried out by the members of the PPA unit on the victim. However, in reality, the handling of such cases is obstructed by the absence of psychological competence, particularly in legal psychology, in members of the unit, and the coordination with the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA) Integrated Service Center for the Empowerment of Women and Children (P2TP2A), which sometimes involves administrative processes and personnel preparation. These factors make it difficult to provide optimal assistance to children who have experienced psychological trauma due to sexual violence.

Regarding member competence, Article 26 of the Juvenile Criminal Justice System Law (hereinafter referred to as the SPPA Law) stipulates that investigators must be experienced investigators who have interest, attention, dedication, and understand children's problems, supported by good competence as taught in technical training on juvenile justice. However, these prerequisites are not fully used as a benchmark to assign an investigator to the PPA unit. For instance, out of the 9 members of the West Jakarta Metro Police PPA unit, only 7 have attended technical training on juvenile justice. Although none of the members has mastered the theoretical psychology through a formal scientific level, the performance of the members can still handle lawyers' processes against children in a professional manner. With 78% of PPA unit members attending the technical training, they have applied practical psychological knowledge based on their experience in handling children's cases.

The essence of what is described above is that there has been no in-depth research, especially in the PPA Unit of the West Jakarta Metro Police, regarding the performance of PPA Unit members in handling child victims of sexual violence who experience psychological trauma. This study aims to explore how investigators treat victims, coordinate with relevant stakeholders, and carry out psychological recovery for children. Research on the performance of investigators is needed because psychological competence is currently not required for investigators, and not all investigators have attended technical training on juvenile justice. Although investigators are able to work with a special approach to child victims of sexual violence based on their practice and experience in the field, it is interesting to review how they can continue to work professionally with various competency limitations. The researchers will review more deeply from the perspective of children as victims who experience psychological trauma related to the performance of investigators in handling their cases.

Problem Formulation:

- How do members of the PPA Unit of the West Jakarta Metro Police Satreskrim handle cases of child sexual abuse in children who experience psychological trauma?
- What obstacles do members of the PPA Unit of the West Jakarta Metro Police Criminal Investigation Unit face in handling cases of sexual violence against children who experience psychological trauma?

Methodology

This research used an exploratory research approach that was carried out to find new ideas or relationships from certain phenomena (Mudjiyanto, 2018). The researchers tried to find the relationship of the symptoms being studied and tried to find out the form of the relationship. This type of research was police science research. According to Harsja Bachtiar (1994), in police science research, a study was developed by combining elements of knowledge derived from various fields of knowledge and expertise that had long existed and developed (Reksodiputro, 2005). The type of research used by the author in this study was qualitative. Qualitative type was research that crossed several disciplines and materials, involving a deep understanding of human behavior and the reasons that governed human behavior (Wahyuni, 2019). The research location was the PPA Unit in the West Jakarta Metro Police at Jalan Raya Daan Mogot Km 2 Kebon Jeruk, West Jakarta. Data collection techniques were carried out by interview, observation, and document review. Data analysis in this study used the triangulation method.

Discussion

Handling Child Sexual Abuse Victims with Psychological Trauma by West Jakarta Metro Police's PPA Unit

The interaction between psychology and law has a long history, dating back to the 1900s. Significant developments occurred in the 1920s when psychology and law sought to define their respective roles. Munsterberg argued that psychology must relate to other sciences at a practical level, not just conceptually. Therefore, the application of psychology must touch on the basic aspects of human life using different approaches, such as those oriented towards the problems of human life (Agung, 2011). Legal psychology focuses more on the main participants in the law enforcement process, including eyewitnesses, suspects and defendants, crime victims, public prosecutors, and lawyers (Ali, 2009).

In the examination stage, psychology plays a role in determining how the results of psychological research on the ability to improve memory can be applied in the process of examining witnesses or victims. Furthermore, psychology is widely used to explain the behavior of suspects or victims, which is

useful in the trial process. Empirical studies form part of legal psychology, including psychological research on the law, legal institutions, and people who deal with the law. Legal psychology draws on social foundations and cognitive theories and principles to apply them to legal system issues such as eyewitness memory, jury decision-making, investigation, and interviewing. The term "legal psychology" is distinguished from "forensic psychology," and the combination of the two is known as "psychology and law" (Ali, 2009). Soedjono Dirdjosisworo (1983) defined legal psychology as a study of the law that highlights it as one manifestation of the development of the human psyche and studies the behavior or attitude of legal acts, which may be a manifestation of certain psychological symptoms. The knowledge of legal psychology is essential to determine the psychological conditions of perpetrators and victims, particularly in cases of child sexual violence.

In practice, in cases of sexual violence handled by the PPA Unit of the West Jakarta Metro Police Criminal Investigation Unit, when the victim, parent, or legal representative reports the case, the personnel who manage the service in the PPA unit provide services and refer the case to PPA investigators. The investigators then begin the process of making a Police Report, preceded by an interview or observation and assessment of the victim witness's psychological state. If the victim witness is traumatized or stressed, the investigator takes rescue action by sending them to the hospital to receive medical-psychological treatment and monitoring their progress. If the witness or victim requires rest, the officer escorts them to a rest room, safe house, or shelter. If the victim is in good health, the investigator can conduct an interview to make a police report. The UPPA officers then prepare the Police Reports, and if necessary, visit the crime scene to search for and collect evidence. A Police Report Register is made to the Integrated Police Service Center or SPKT. If the witness and/or victim need to be referred to the Integrated Service Center (PPT) or other places, the officer must deliver them to the referral destination and hand them over to the officer concerned, along with an explanation of the problem. If the witness and/or victim completes a Police report and needs a visum, the officer delivers them to the PPT to obtain health and a visum. Cases that do not meet the criminal element are assisted through counseling and psychological approaches.

The investigation process starts with a letter of request for health and post-mortem to the Head of Bhayangkara Hospital or other hospitals by the investigator who can legally issue a post-mortem in connection with the Police Report reported by the victim. The investigator then prepares the administration of the investigation. If the victim is ready to be examined and is willing to provide information related to the Police Report, the investigator can carry out activities to make an examination report (BAP) of the victim (Luter et al., 2022).

If the victim's case involves only one victim and one suspect, the investigator can follow up on the Police Report alone. However, if the case involves multiple victims, suspects, occurrences, evidence, and locations, then the investigation task is carried out by a team designated by the Head of the PPA Unit, and the victims/witnesses are still examined by female police officers from the PPA Unit, while the investigation can be carried out by male investigators.

If the victim or witness comes from outside the city, then they can be placed in a shelter owned by the Ministry of Social Affairs or other organizations that can provide protection and services until the victim is ready to return to their area of origin.

The final stage of the investigation includes:

- Coordinating with related agencies and experts to strengthen the evidence of the case.
- Organizing the case files for submission to the Public Prosecutor (JPU).

- Entrusting the victim to a shelter owned by the Ministry of Social Affairs or other organizations deemed suitable to provide protection and services to the victim if they are required to appear before the Court.
- Coordinating with institutions and NGOs that care for women and children victims of criminal acts during court hearings, to ensure that the judicial process and decisions fulfill a sense of justice.

The activities of victim and witness examination include:

- Preparing investigation administration in the form of a task order (Sprin Gas), investigation warrant (Sprin Dik), and investigation commencement letter (SPDP).
- Developing an investigation/examination plan.
- Determining the time, place, and means of examination, and informing the witness and/or victim to be examined.
- Developing a checklist of questions.
- Preparing an examination room that is conducive to the examination process, to avoid any physical or psychological disturbances for those who will be examined.

Examination of witnesses and victims is subject to the following provisions:

- Officers should not wear official clothes that could affect the psychology of the witnesses and victims being examined.
- Use language that the examinee can understand easily.
- Ask questions in a friendly and empathetic manner.
- Do not ask questions that could offend the examinee.
- Do not force confessions from the examinee.
- Do not corner, blame or harass the examinee.
- Do not ask questions that could anger the examinee.
- Do not act in a discriminatory manner.
- Show a friendly, protective, and nurturing attitude towards the examinee.
- Listen to all explanations and hope for completeness of the police report which is useful for further proceedings.
- Be attentive to the situation and physical and mental condition of the examinee.

The standard sequence of questions asked during the examination includes the following:

- Inquire about the health and willingness of the examinee to be examined.
- Ask which language the examinee understands for the examination.
- Ask whether legal counsel or other assistants are required.
- In the case of a child, the examiner must pay attention to laws and regulations relating to children.
- Examination of children must be provided with a companion, legal counsel, or psychologist by the investigator.

Questions asked to obtain information about the substance of the case being examined include:

- Background of the problem or case.
- Chronology of events experienced by the witness or victim.
- Loss suffered by the witness or victim as material for the request for restitution or compensation.
- Evidence that can be obtained and used as evidence.
- The relationship of the witness or victim with other witnesses or suspects.
- The demands or expectations of the witnesses and/or victims.

Questions asked at the end of the examination include:

- Re-reading of examination results.
- Are there any previous answers that need to be corrected/changed?
- Is there any additional information?
- Was there any coercion in giving testimony?
- Is the examinee willing to sign the BAP?

From this explanation, we can understand that the role of the police is regulated in the Law of the Republic of Indonesia Number 2 of 2020, Article 13 concerning the Main Duties of the Police, and their role in handling community complaints. The police have a duty to receive community reports and follow up on them through the investigation process as stipulated in the Regulation of the Chief of the Indonesian National Police Number 6 of 2019 concerning Criminal Investigation. Based on this regulation, investigators have the right to take actions such as summoning, examining, arresting, detaining, confiscating, and filing in order to provide legal certainty for the actions taken or steps taken in following up on community complaints.

In handling cases of child abuse, the PPA Police unit strives to be as effective as possible. However, whether their efforts are effective or not depends on the community's perception. The police also always involve policewomen, UPTD PPA, psychology, LBH, social services, or the latest from the Ministry of PPPA, namely SAPA 129, in handling cases of violence against women and children, especially sexual violence.

Challenges Faced by the West Jakarta Police in Handling Child Sexual Violence Cases with Psychological Trauma

Legal psychology is essential in the judicial process of criminal cases involving sexual violence against children during the investigation stage. According to Article 26 paragraph 3 of the SPPA Law, investigators should possess technical competence, including courses related to juvenile justice. However, there is a shortage of such training from the center. If investigators receive this training, they will be better equipped to handle the legal process and approach children appropriately based on a psychological approach, ensuring that the event process passes through each stage correctly. It is crucial to consider not only procedural correctness but also the approach used by an investigator towards a child. Investigators should have the ability to understand a child's personality, as not all investigators can build closeness with children dealing with the law.

Handling cases of sexual violence against children is challenging, primarily due to the sensitivity of the case. Mishandling can lead to prolonged trauma for the child and harm the reputation of the Police institution as the media may scrutinize the case, which is very vulnerable to public consumption.

Regarding the obstacles during the investigation, this is due to the difficulty in finding and digging up information, both from child victims and other witnesses. Non-physical sexual violence as contained in Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence is very difficult to prove. There is still no clear evidentiary mechanism to fulfill the adequacy of 2 pieces of evidence in the case of non-physical sexual violence, which occurs with the lack of witnesses and the absence of physical traces of sexual violence that can be examined as part of evidence.

Currently, investigators are expected to take a more proactive and child-friendly approach because children who have experienced sexual violence are susceptible to deep trauma, which can make them more withdrawn and hesitant to communicate.

When children experience sexual violence, it can interfere with their motor and sensory functions, causing them to become introverted and moody, and withdraw from their environment (Desiningrum, 2017). As a result, they may become more difficult to communicate with, and only choose to talk to certain individuals. This can make it challenging for investigators to question children who have experienced sexual violence. Additionally, due to the difficulty of obtaining information on the perpetrator within a deadline period, it is possible that they may escape justice.

Investigators who face these obstacles need the assistance of experts who can effectively approach the situation of children, especially their psychological state. Law enforcement officials, especially investigators, require cooperation from social workers, such as child psychologists or other stakeholders who have experience working with children in conflict with the law, particularly child victims of sexual violence. This may include collaboration with UPTD PPA or other institutions that specialize in handling such cases.

Normatively, in order to achieve the application of legal psychology in the process of investigating cases involving children, investigators dealing with child sexual abuse should meet the requirements stipulated in Article 26, paragraph (3), letters a, b, and c. However, currently, there are no investigators in the PPA Unit who have a formal education in psychology or have attended vocational training in juvenile justice. Despite this, investigators can still act professionally in dealing with children's issues due to their experience in lawyering and working with children. However, this is an obstacle when handling cases is only based on investigation experience, as basic actions are not based on the academic realm. Investigators gain technical training and understanding of children informally through experience and mentorship from senior child investigators. The consequence of the absence of basic psychology in investigators' scientific domain is related to their position as expert witnesses. Investigators without an educational background in psychology cannot become expert witnesses who have the right to assess either the defendant or the victim in court.

However, this issue can be addressed by coordinating with stakeholders who have previously collaborated with the PPA Unit of the West Jakarta Metro Police, such as the UPTD PPA and SAPA 129 under the Ministry of PPPA. These organizations specialize in trauma healing and recovery for children using psychological approaches.

SAPA 129 is a stakeholder that will coordinate with the PPA Unit of the West Jakarta Metro Police. SAPA 129 services can be accessed via hotline 021-129 or WhatsApp 08111-129-129. SAPA 129 offers six types of services, including community complaint services, victim outreach services, case management services, temporary shelter access services, mediation services, and victim assistance services. Apart from telephone and WhatsApp, the Ministry of PPPA also receives reports of violence through other media, such as online forums, the National Public Service Complaint Management System (SP4N) Lapor, letters, and direct complaints. This service is part of the Ministry of PPPA's mandate to provide final referral services for women and children victims of violence, which require coordination at the national, cross-provincial, and international levels, as stipulated in Presidential Regulation Number 65 of 2020. Additional tasks and implementing functions are related to the final referral service, as well as national and international-level services in handling it. Another stakeholder who collaborates with the PPA Unit is UPTD PPA.

Regarding the issue of investigators' attitudes when dealing with child victims of sexual violence, it is worth noting that during my tenure at the Child Protection Agency, I have not encountered investigators who panic or experience shock when faced with cases involving children, especially those with traumatic experiences, such as victims of rape. Investigators are professional and procedural in carrying out their duties. They can conduct an initial assessment to determine whether the child requires trauma recovery services. Although the investigators at the PPA unit of the West Jakarta Metro Police

possess practical skills in handling children, their lack of expertise in psychological science is a limitation. Academic knowledge is crucial to ensure that their actions are in accordance with scientific principles. Therefore, the recruitment of police personnel with basic skills in psychology should be prioritized. However, the limited budget for human resources procurement poses a significant obstacle, and the importance of psychological competence is often neglected. Additionally, some argue that psychological approaches to children are best left to other stakeholders, such as UPTD PPA, which provides specialized experts for assessing and addressing the psychological needs of traumatized children.

Conclusions and Suggestions

In cases of child sexual abuse where the victim experiences psychological trauma, members of the PPA unit of the West Jakarta Metro Police Criminal Investigation Unit follow a protocol. When a victim, parent, or legal representative reports the case, the officer conducts an initial interview and observation to assess the psychological state of the victim witness. If the victim witness is traumatized or stressed, the officer sends them to the hospital for medical-psychological treatment and monitoring of their progress. If the victim requires rest, the officer escorts them to a rest room or safe house or shelter. If the victim is in good health and condition, the officer conducts an interview for the preparation of a Police Report.

During the investigation, members of the PPA unit face several obstacles, including the difficulty of finding and obtaining information from child victims and other witnesses. Non-physical sexual violence, as outlined in Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence, is particularly challenging to prove. Requesting testimony from children also poses a challenge and increases the possibility of the perpetrator escaping. Moreover, the lack of psychological competence in investigators makes handling traumatized children a difficult task, requiring outside experts from UPTD PPA. However, this requires further coordination and additional time, and the assessment method is not directly controlled by the Police.

In order to improve the handling of child sexual abuse cases, we have two main suggestions. Firstly, the role of psychologists needs to be prioritized within the PPA unit, as currently they are only considered as an additional task and there are no members with a psychology education background. Therefore, a recruitment program based on psychology undergraduate education is needed to maximize the function of the PPA unit and reduce reliance on counselors from UPTD PPA. Secondly, there is a need for socialization and education to prevent violence and sexual harassment against children. This cannot be achieved by law enforcement alone, but requires the cooperation of various agencies, such as the Social Service, PPPA Office, Education Office, Health Office, and more. It is important that this education is carried out up to the school level to create a safer environment for children.

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