

THE ROLE OF LOCAL REGULATIONS IN HANDLING DOMESTIC VIOLENCE (KDRT)

Supian Ramli ^{*1}

Universitas Jambi

supian.ramli@unja.ac.id

Sulaiman

Politeknik Negeri Pontianak

sulaiman@polnep.ac.id

Endang Wahyuni

Politeknik Negeri Pontianak

3ndangwahyun1@gmail.com

Abstract

This research aims to evaluate the role and effectiveness of local regulations in handling domestic violence cases. The method used is a literature review. This study identified that the existence of regional regulations is very important as a legal umbrella to protect victims and provide sanctions for perpetrators of domestic violence. However, the effectiveness of local regulations is still questionable given various challenges, including the capacity of law enforcement officers, inadequate resources and infrastructure, and lack of supervision in their implementation. The results show that while local regulations have been a progressive step in addressing domestic violence, their role is often limited to the normative level and lacking in effective concrete actions. Factors such as unawareness or low knowledge of domestic violence among law enforcement officials and the community, strong social stigma, and a non-integrated referral and victim assistance system, further hinder the implementation of this policy. Therefore, a multi-sectoral approach involving cooperation across institutions and sectors of society is needed to improve the effectiveness of this regional regulation. Capacity building for law enforcers, improved support facilities for victims, intensive socialization, and systematic monitoring and evaluation strategies are needed to ensure that the regional regulation can contribute significantly to reducing domestic violence and effectively protect victims' rights.

Keywords: Local Regulation, Domestic Violence, Legal Effectiveness, Victim Protection

¹ Correspondence author

Introduction

Domestic violence is a serious human rights violation and the most common form of discrimination in many parts of the world, including Indonesia (Oktrina, 2023). Domestic violence not only causes negative impacts on the physical and psychological health of victims, but also contributes to family dysfunction, increased economic burden, and undermines social harmony. Although recognition of domestic violence as a critical issue has increased and various efforts have been made to address it, cases of domestic violence continue to occur at an alarming rate (Febriansyah & Andriansyah, 2022).

Victims of domestic violence, especially women and children, experience various forms of physical, sexual, psychological, and economic violence that have a severe impact on their well-being. The existence of domestic violence not only interferes with individual human rights, but also hampers socioeconomic development (S. & Soekorini, 2023). Therefore, effective response to domestic violence is not only aimed at protecting victims, but also as one of the fundamental efforts in promoting gender justice and equality in society. The strength and success of preventive measures and handling cases can be largely determined by the existence and implementation of effective and responsive regulations in accordance with local needs and conditions (Irwan & Margaretha, 2020).

One of the efforts made by the government both at the national and regional levels to tackle the problem of domestic violence is the establishment of regulations and policies that can protect victims and prevent domestic violence. Regional Regulations (Perda) on handling domestic violence have been issued by several regions in response to the need for more effective and organized handling of cases. These regulations are expected to fill legal gaps that are not specifically addressed by national regulations or provide adjustments to the local socio-cultural context (Nguindip, 2022).

The handling of domestic violence between regions in Indonesia shows significant variation, depending on the local regulations in place and their implementation and application. In some regions, the enactment of specific local regulations on domestic violence has demonstrated the strong commitment of local governments to addressing this issue (NAUMENKO, 2023). For example, regions with domestic violence bylaws generally establish more systematic protection mechanisms for victims, such as counseling services, temporary protection, and access to faster and gender-sensitive legal processes. This allows victims to receive better and more effective treatment than regions that do not have specific local regulations, where responses tend to be more sporadic and less coordinated (Dhawan & Bhasin, 2024).

However, despite having supporting regulations, some regions experience obstacles in implementation, especially related to resources, awareness, and capacity of law enforcement officials. A comparison of the handling of domestic violence between regions, such as between regions with well-implemented domestic violence

regulations and regions that have local regulations but are weak in implementation, shows that the ability of local governments to allocate resources, raise public awareness, and strengthen the capacity of the apparatus greatly determines the effectiveness of handling domestic violence (Lechte, 2023a). Thus, not only the existence of local regulations is crucial, but also effective and comprehensive implementation, involving various stakeholders, to ensure effective protection for victims of domestic violence (Avramova & Naumenko, 2024).

However, the reality on the ground shows that the effectiveness of local regulations in handling domestic violence still raises questions. The diverse characteristics of society in each region affect the implementation and effectiveness of domestic violence regulations (Wilson, 2023). There are regions that have succeeded in reducing the number of domestic violence cases with good implementation of local regulations, but not a few regions are still experiencing obstacles in their implementation and enforcement, which as a result have minimal impact on protecting victims and preventing domestic violence (Stepanenko, 2022).

Therefore, it is important to critically evaluate and analyze the role and effectiveness of local regulations in handling domestic violence cases. This research aims to identify the supporting and inhibiting factors in the implementation of local regulations on domestic violence in various regions, and propose recommendations that can improve the effectiveness of local regulations in providing legal protection for victims of domestic violence and prevention efforts. Through a literature review, this research is expected to provide a comprehensive picture of how the dynamics of implementing local regulations in diverse contexts and find the best solution for more effective handling of domestic violence in the future.

Research Methods

The study conducted in this research uses the literature research method. The literature research method is a critical approach in reviewing various written sources of information in order to understand, analyze, and synthesize existing knowledge related to a research topic or problem. This method relies on secondary data, which includes materials such as scientific journals, books, research reports, articles, official documents, and relevant online resources. The main objective is to gather an in-depth understanding of the topic, identify trends, and find gaps in existing research as a basis for future research (Helaluddin, 2019); (Sanusi, 2015); (Wekke, 2020).

Results and Discussion

Concept of domestic violence

Domestic violence is a form of violence that occurs within the scope of the household, where the perpetrator is one member of the household against another household member. Domestic violence does not only include physical violence, but can

also take the form of psychological, sexual, and economic violence. These acts cause both physical and psychological harm to the victim (Stepanenko, 2022). The definition of domestic violence recognizes that the home, which should be a safe haven for every individual, is sometimes a major source of suffering due to violent behavior from other family members. This recognition is an important step in understanding and addressing the issue of domestic violence, as well as providing protection and support for victims (Kelley, 2024).

Types of domestic violence fall into several categories, depending on the form of violence that occurs. First, physical violence, which includes any form of physical abuse that causes injury or pain to the victim's body, such as hitting, kicking, or torturing. Second, psychological or emotional violence, which includes actions that damage self-esteem, degrade, intimidate, isolate, or threaten the victim's emotional well-being. The third type is sexual violence, which includes forced sexual intercourse without consent, sexual harassment, or other sexual acts that exploit the victim. Finally, economic violence, which relates to attempts to control or limit the victim's economic freedom, such as taking the victim's salary without consent, refusing to provide the necessities of life, or preventing the victim from working or getting an education (R, 2022); (Gray, 2023).

Addressing domestic violence requires a comprehensive and multidisciplinary approach. Policies and protection programs for victims of domestic violence must pay attention to psychological, social, legal and economic aspects. The government together with community social organizations play an active role in providing education and awareness about the negative impacts of domestic violence and supporting the recovery of victims. This includes providing counseling services, legal protection, financial support, and access to health services (Nikulina et al., 2023). Addressing domestic violence is not only about punishing the perpetrator, but also about rebuilding the victim's life and preventing future acts of violence by creating a conducive environment for all household members (Zirojević & Marković, 2020).

The impact of domestic violence on victims is extensive and can have long-term effects, both physically and psychologically. Physically, victims can experience serious injuries, chronic health problems, and the risk of death. Psychologically, domestic violence can cause deep trauma, post-traumatic stress disorder (PTSD), depression, anxiety, and impaired trust in others (Nebi et al., 2024). Ongoing fear and psychological distress can also reduce the quality of life and impair the social functioning of victims. Furthermore, these long-term effects can undermine the victim's ability to establish healthy relationships, both within the family and social spheres. Thus, the psychological impact of domestic violence is often more difficult to heal and requires a longer recovery time than physical injuries (Arifah et al., 2023).

The impact of domestic violence is not only limited to the victim, but also affects all family members, especially children. Children who witness or are victims of family

violence can experience significant emotional, behavioral, and social disturbances (Kovalenko, 2023). They may experience learning difficulties, behavioral problems at school, and difficulties in building healthy interpersonal relationships. These children are more at risk for developing mental health problems, such as depression and PTSD, and may repeat patterns of violence they witness in their own relationships in adulthood (Lechte, 2023a). The domino effect of domestic violence on families can stunt children's growth and development, undermine family structure and functioning, and weaken the social foundations of society. Therefore, timely intervention and ongoing support for victims and their families are critical to breaking the cycle of violence and restoring social well-being.

Local Regulation in Handling Domestic Violence

The handling of domestic violence is not only the responsibility of the central government through Law No. 23/2004 on the Elimination of Domestic Violence, but also strengthened by local government initiatives through the issuance of Regional Regulations (Perda). These local regulations are made to adjust domestic violence handling measures to the specific conditions and needs in each region (Pisarra, 2022). The content of local regulations on domestic violence usually includes reporting mechanisms, protection for victims, rehabilitation, and sanctions for perpetrators. The aim is to create a more coordinated and effective support system for victims of domestic violence, in collaboration with relevant agencies, such as the police, social institutions, and civil society organizations engaged in the protection of women and children (Lechte, 2023b).

In their implementation, domestic violence bylaws often initiate the establishment of specialized services for victims of violence, such as integrated service centers that offer access to legal aid, psychological counseling, and health support. These services are designed to ease the burden on victims by providing a one-stop shop for access to the different types of assistance they need. In addition, capacity building for law enforcement officers and social service officers, through specialized training on handling domestic violence, is also one of the focuses of this Perda initiative. This aims to ensure that domestic violence policies and practices are implemented with a deep understanding of the sensitivity of the issue and the rights of victims (Kadir et al., 2021); (Meyer & Stambe, 2021).

In addition to law enforcement and rehabilitation aspects, some local regulations also underline the importance of preventive and educative activities to prevent domestic violence. This includes public awareness campaigns, health and women's rights education in schools, and economic empowerment for women as a long-term preventive measure. Broadening understanding of domestic violence issues and providing communities with the tools and knowledge to identify and prevent violence early, is expected to reduce the incidence of domestic violence (Kolisnyk, 2024). Such

measures show that local governments do not only act after domestic violence has occurred, but also proactively prevent domestic violence from occurring, creating a safe and supportive environment for all members of the community (Perkins, 2023).

Building on the aforementioned efforts, intersectoral collaboration is an important aspect of the domestic violence regulation. It involves close cooperation between the government, non-governmental organizations (NGOs), community-based organizations, educational institutions, and the private sector. This collaboration is oriented towards establishing a strong domestic violence response and prevention network, which can respond quickly to cases of violence and actively educate the public about the risks and impacts of domestic violence (Porter, 2023). Thus, the integration of resources and expertise from different actors can increase the effectiveness of interventions and expand their reach.

In addition, local regulations often contain provisions on monitoring and evaluation of domestic violence response programs. This is important to ensure that initiatives are effective in reducing the number of domestic violence cases and providing adequate support to victims. Continuous monitoring and impact assessment of domestic violence response policies and programs allows local governments to refine and adjust strategies, based on evidence and best practices (Garai & Kiss, 2023).

The active involvement of the community is also key to the successful implementation of domestic violence regulations. Communities can play a role in identifying cases, providing support to victims, and eliminating stigma against victims. Increased education and awareness at the community level is the main bulwark in preventing domestic violence, making this issue not only the responsibility of the government, but also the shared responsibility of all elements of society (Choirinnisa, 2022). Local government initiatives through domestic violence bylaws, with strong support from all levels of society, offer a concrete step towards eliminating domestic violence, creating a safer and more inclusive environment for every individual (ADRUSHCHENKO, 2024).

Model for Handling Domestic Violence in Various Regions

Models of handling domestic violence (DV) in different regions often show variations to suit local conditions. Some regions in Indonesia, for example, have enacted local regulations specific to domestic violence that integrate services between institutions. Such models usually include the establishment of integrated service centers for victims that provide a range of services, from physical protection, access to health services, legal aid, law enforcement, and psychosocial support (Nurdin et al., 2022). In some areas, integrated service centers work together with shelters or safe houses that become temporary places for victims to avoid further threats and restore their condition (Pratiwi, 2020).

One noteworthy example is the practice in East Java. The local government established the Integrated Service Center for Women and Children Empowerment (P2TP2A) which actively provides assistance and protection for victims of domestic violence. P2TP2A is a model of handling that involves collaboration between related government agencies, non-governmental organizations, the police, and health institutions. The case referral system is well managed to ensure victims receive effective protection and recovery. In addition, P2TP2A also seeks to increase public awareness through education and advocacy regarding the dangers and handling of domestic violence (Ismaidar & Rahmayanti, 2023); (Dewi & Santiago, 2021).

In other regions such as DKI Jakarta, government stakeholders have developed initiatives such as Jakarta Sahabat Perempuan dan Anak (JakSAPA) which aims to provide assistance for victims of gender-based violence. The government also works closely with civil society institutions and organizations to provide training to government officials, health workers, and other professionals in dealing with victims of domestic violence (Muthia, 2020). These intervention models highlight the importance of collaborative approaches across sectors and the establishment of clear standard operating procedures, to ensure that victims receive complete and integrated services, from initial protection to social reintegration (Saragih & Sembiring, 2024).

Regardless of geographical specificity, domestic violence response efforts are increasingly leading to the development and strengthening of inclusive and adaptive response networks. For example, in some areas that have special characteristics such as the high value of customs, the approach taken often focuses more on mediation and counseling by cooperating with local religious and community leaders. This is done in the hope of finding a solution that is more acceptable to the local community while still seeking maximum protection for victims. In addition, this approach also helps in the process of empowering victims by integrating relevant cultural values in the preparation of recovery programs (Sarjono, 2023).

The involvement of information technology is one of the new trends in handling domestic violence in various regions. Some local governments have started using mobile applications and websites as a means for victims to get information and access assistance services anonymously and quickly (Putri & Suyanto, 2021). In addition, the use of social media by local governments and NGOs for public awareness campaigns on domestic violence has helped reach a wider audience. Such initiatives strengthen response efforts by providing quick and easy access to information, while creating a community of support for victims (Israhadi & Sugianti, 2023).

In line with global developments, the implementation of a multidisciplinary and integrated model of handling domestic violence is key. Increasing the capacity of law enforcement officials, increasing victims' access to legal and social services, and strengthening referral systems are some of the important things that continue to be developed (Muryatini, 2023). Handling domestic violence is not only about post-incident

intervention, but also prevention through education and advocacy. Joint efforts that include all levels of society, including men and children as part of the solution, are important in changing social norms that support domestic violence. Thus, a comprehensive and sustainable response model is vital in breaking the chain of violence and creating a safer and more inclusive society for all (Shofwatun, 2021).

Supporting and Hindering Factors for Handling Domestic Violence in Various Regions

Supporting factors in handling domestic violence cases include various aspects ranging from policy support, availability of resources, to community awareness. Strong and clear government policies related to handling domestic violence, including the existence of special regional regulations, provide a supportive legal framework for victims and effective law enforcement for perpetrators. On the other hand, the availability of facilities and services for victims, such as crisis centers, emergency hotlines, and counseling services, is crucial in ensuring victims' access to protection and recovery (Wantu & Sarson, 2020). Public awareness and sensitivity on domestic violence issues are also key, including the active involvement of men in anti-domestic violence campaigns, which can support changes in social norms that discriminate against women and eliminate stigma against victims (Vakhtangi, 2021).

On the other hand, inhibiting factors are often rooted in deep socio-cultural values and lack of resources. Social and cultural norms that consider domestic violence a private matter or taboo to be discussed in the public sphere often prevent victims from reporting the violence they have experienced and the surrounding community from participating in prevention and response efforts. Limited resources, both financial, infrastructure and trained human resources, are also a major obstacle, especially in remote areas (MOORE, 2022). Lastly, ineffective coordination between agencies involved in domestic violence response - from the police to health services to social organizations - often makes the response process inefficient and prolongs the suffering of victims (Ghodrati, 2024).

Overcoming barriers requires a comprehensive and cooperative strategy involving all stakeholders. The development of inclusive and sustainable policies and programs, capacity building of human resources at all levels, and allocation of adequate resources are key (Stepanenko, 2022). Community-wide socialization and education to shift the paradigm on domestic violence, involving community and religious leaders, as well as campaigns targeting men and children, can help change norms and attitudes that support violence. A multi-sectoral and collaborative approach among agencies by integrating services and improving referral systems and victim assistance is also crucial in addressing coordination challenges. Through close cooperation and effectively allocated resources, there is a greater chance of overcoming these challenges, bringing society closer to the elimination of domestic violence (Horowitz et al., 2021); (Koshan, 2023).

Thus, the handling of domestic violence cases in various regions is influenced by complex supporting and inhibiting factors. Supporting factors include the existence of supportive government policies, the availability of services and facilities for victims, and increased public awareness of domestic violence issues. However, it is hampered by socio-cultural norms that make it taboo to discuss domestic violence, limited resources, and challenges in inter-agency coordination.

Response strategies should include policy reforms, improvement of human resources, allocation of adequate resources, socialization to change community views, and a collaborative approach between institutions. Successfully addressing domestic violence requires synergistic efforts from all levels of society and government, with the goal of not only handling cases but also preventing violence and building a society that is more inclusive and respectful of the rights of all individuals.

Conclusion

Local regulations play a crucial role in handling domestic violence cases as they allow local governments to enact measures that are tailored to the local social and cultural context. These regulations not only serve as the legal basis for prosecuting perpetrators of domestic violence, but also play a role in providing protection and support to victims. The availability of local regulations that specifically address domestic violence demonstrates local commitment to the issue and helps raise public awareness and promote social change regarding norms that support violence.

However, the effectiveness of local regulations in addressing domestic violence is often hampered by several factors. One of them is the lack of knowledge or understanding of local law enforcement officials on the issue of domestic violence and existing regulations. This limitation in capacity hinders the effective implementation of the regulations. In addition, the lack of resources and infrastructure support is also an important obstacle. This includes the lack of adequate facilities for victim shelter and recovery services, which are urgently needed in handling domestic violence cases.

To improve the effectiveness of local regulations in addressing domestic violence, a comprehensive and collaborative approach is needed. Local governments need to work with various parties, including non-governmental organizations, local communities, as well as other government agencies, to ensure that regulations are effectively implemented and that there are sufficient resources for implementation. Monitoring and evaluation of the implementation of regulations is also important to be carried out regularly to ensure that they really have a positive impact in society related to handling domestic violence. Good implementation of regulations will certainly reduce the number of domestic violence and strengthen the social safety net for victims.

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