

“We Need More Beyond the Policies”: The Challenges of Integrated Services for Sexual Violence in West Kalimantan and Central Sulawesi Provinces

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Abstract

The Law on Sexual Violence Crimes (Indonesian: Undang-Undang Tindak Pidana Kekerasan Seksual, abbreviated as UU TPKS) brings hope amid the continuously rising rates of sexual violence in Indonesia. The UU TPKS guarantees legal certainty for victims, victims' families, and witnesses, ensuring they receive care facilities, protection, and recovery. The UU TPKS mandates that both the central and local governments provide integrated services for handling, protecting, and recovering from sexual violence cases. These integrated services are crucial for eradicating sexual violence and preventing its recurrence in the future. This article is part of research conducted by Wahana Visi Indonesia and the Gender Research Center of the University of Indonesia in 2023. The research aimed to map the readiness of local governments in West Kalimantan and Central Sulawesi Provinces to implement the UU TPKS. The study was conducted in seven regencies/cities: Kubu Raya Regency, Bengkayang Regency, Landak Regency, Palu City, Donggala Regency, Parimo Regency, and Sigi Regency. The research found that local policies support the implementation of the UU TPKS. However, there are still various challenges in realising integrated services for victims. These challenges include a lack of commitment to ensuring the availability of budgets, human resources, and effective working mechanisms in each institution. Ultimately, these challenges hinder sexual violence victims from accessing the justice envisioned in the UU TPKS.

Keywords: Local policies, sexual violence, implementation of sexual violence crimes law, integrated services

Introduction

The enactment of Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS) brings hope amidst the high incidence of sexual violence in Indonesia. The KATAHU National Commission on Violence Against Women highlights that sexual violence remains a serious problem. According to Komnas Perempuan's 2022 complaint data, sexual violence is the most prevalent form of violence against women, with 2,228 reported cases, followed by psychological violence with 2,083 cases. Data from service institutions show that physical violence predominates with 6,001 cases, followed by sexual violence with 4,102 cases (Komnas Perempuan 2023).

The rate of sexual violence against girls also shows an alarming trend. The 2021 National Women's Life Experience Survey (SPPHN) indicates that 26.1 percent, or 1 in 4 women aged 15-64 years, have experienced physical and/or sexual violence by their partners or non-partners during their lives. Additionally, the Ministry

of Women's Empowerment and Child Protection (KemenPPPA) recorded at least 11,952 cases of child violence through the Women and Children Protection Online Information System (SIMFONI) in 2021. Of these cases, 7,004 (58.6 percent) were instances of sexual violence against children.

Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS) is a much-anticipated legal framework, especially for victims of sexual violence in Indonesia. The TPKS Law provides guarantees for treatment, protection, and recovery for victims, their families, and witnesses. One effort to achieve this is by establishing an integrated service system. Article 72 of the TPKS Law states that integrated services are to be provided by both central and regional governments. This regulation also enhances the role and institutions of the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA), as outlined in the Minister of Women's Empowerment and Child Protection Regulation Number 4 of 2018

concerning Guidelines for the Establishment of UPTD PPA.

After the issuance of the TPKS Law, it is crucial to ensure that local governments have a support system in place for implementing this new policy. In 2023, Wahana Visi Indonesia (WVI) and the Gender Research Center of the University of Indonesia will conduct research to assess the readiness of local governments in implementing the TPKS Law. The research will be conducted in two provinces: West Kalimantan and Central Sulawesi. These provinces were selected due to their unique characteristics and because they are areas supported by the WVI program. In West Kalimantan, there were 4,853 cases of Gender-Based Violence (KBG) against women in 2021, while Central Sulawesi reported 3,838 cases (Komnas Perempuan 2022). In both provinces, sexual violence was the most prevalent, with 328 cases in West Kalimantan and 310 cases in Central Sulawesi. Most victims are in the age range of 13-17 years and have a high school educational background or below (SIMFONI-PPA 2023).

As stated in Article 79 of the TPKS Law, these two provinces have unique conditions that merit special attention. West Kalimantan and Central Sulawesi are characterised by diverse conflicts, disasters, and geographic challenges. West Kalimantan’s proximity to the Indonesian-Malaysian border makes women

and girls particularly vulnerable to human trafficking and child marriage under the guise of mail-order brides (Valevi 2006). Meanwhile, Central Sulawesi faces significant geographical and historical challenges related to disasters (KemenPPPA 2019). Given these backgrounds, the article provides an overview of policies at the district/city level that support integrated services and the challenges they face, especially in the context of the TPKS Law for children.

Research Methods

This article further processes some of the results from WVI’s research conducted in collaboration with the Gender Research Center at the University of Indonesia, which was published as a research report in 2023. The research is qualitative, employing a feminist perspective with multiple case studies. It was conducted in two provinces and seven districts/cities: in West Kalimantan Province, focusing on Kubu Raya Regency, Bengkayang Regency, and Landak Regency; and in Central Sulawesi Province, focusing on Palu City, Donggala Regency, Parimo Regency, and Sigi Regency. The research spanned seven months, starting with document studies from January to March 2023, followed by data collection through interviews conducted online via Zoom in March and April 2023. Data processing and analysis were then carried out from April to July 2023.

Table 1. Research Subject

West Kalimantan	Central Sulawesi
1. Head of the Child Protection Division of DP3KB Kubu Raya	1. DP3A Kota Palu
2. Head of UPTD PPA Kubu Raya	2. UPTD PPA Sulteng Province
3. Head of PPPA DSP3AKB Landak	3. DP3AKB Parigi Regency (two people)
4. Head of UPTD PPA Bengkayang	4. Palu City Police PPA Unit
5. Head of PPA DSP3A Bengkayang	5. Chairperson of Alkhirat Islamic Women
6. Head of UPTD PPA Kalbar province	6. Chair of the Central Sulawesi Women’s Equality Struggle Group/Legal Assistant at the Provincial UPTD PPA
7. Head of Dinas P3A Province	7. Chair of the Women’s Holiday
8. Provincial Police Plan and Division	8. Chair of the Sikola Mombine Parigi Foundation
9. Head of Landak Police PPA unit	9. Head of Bappeda
10. Head of the Government and Human Development Division of Bappeda Kubu Raya	10. Head of Social Services, Parigi Social Services
11. Head of Social and Cultural Affairs Bappeda Landak	11. Pagiri Social Services Social Worker
12. Bappeda Bengkayang	12. WVI Coordinator CP Parigi
13. Head of KPAID Kubu Raya	13. WVI Coordinator CESP Parigi
14. WVI Coordinator CP Landak	14. WVI Manager AP Parigi
15. WVI Coordinator CP Bengkayang	15. Alliance of Indigenous Peoples of the Archipelago, Central Sulawesi Province
16. WVI Coordinator CP Kubu Raya	16. Salvation Army Church, Jono Oge Village and religion, Sigi Regency
17. Chairperson of LBH PIK Pontianak	

Source: Data processed by the author

Data collection techniques are carried out through: 1) searching policy documents; 2) interview; and 3) Focus Group Discussion (FGD). The subjects of this research involved 34 main actors on the TPKS issue consisting of 14 male actors and 20 female actors. The actors have strategic positions, including regional government, DP3AKB services, religious leaders, community leaders, traditional leaders, law enforcement officers, community-based service providers, victim advocates, children's and women's organisations. The data collected was then analysed by feminist theories about public policy. This research has limitations because at the time the research was conducted the derivative policies mandated by the TPKS Law were not yet available. Thus, further research is needed in the future after the derivative regulations become available to capture the effectiveness and challenges of implementing the TPKS Law.

Availability of Sexual Violence Elimination Policy in Two Provinces

West Kalimantan

In West Kalimantan Province, there is a Regional Regulation (Perda) aimed at protecting women and children from sexual violence. Regional Regulation Number 4 of 2015 concerning Child Protection ensures that children who are victims of sexual exploitation, violence, abuse, or neglect have the right to health recovery and maintenance services, continuity of education services, psychosocial services, and legal aid services.

Apart from the provincial level, there are regulations at the district level in Bengkayang and Kubu Raya. In the Regent's Regulation (Perbup) of Bengkayang Regency Number 56 of 2017 concerning the Implementation of Protection for Women and Children Victims of Violence, it is stated that sexual violence is part of violence against children. This regulation specifies that the prevention, handling, and recovery of violence against women and children is carried out by the regional government with community participation. Furthermore, in the Regional Regulation (Perda) of Kubu Raya Regency Number 9 of 2016 concerning the Protection of Women from Acts of Violence, it is stated that sexual violence is a form of violence that requires serious attention.

In the Regional Regulation, Article 21 states that the Regional Government is obliged and responsible for protecting victims by: (a) establishing a PPT; (b) formulating policies; (c) preparing plans and implementing programs and activities; (d) providing support for facilities and infrastructure; and (e) supervising the implementation of services for victims with minimum service standards for protection from the regional government. Additionally, local governments are required to ensure that integrated treatment for victims of child violence is available. In the Regional Regulation of West Kalimantan Province Number 4 of 2015 concerning Child Protection, it is stated that child protection is implemented through: (1) establishing policies, programs, and mechanisms related to prevention, supervision, complaints/reporting, and the development of child data information systems; and (2) integrated treatment for children who are victims.

Table 2.
Regional Regulations in West Kalimantan Province that Accommodate the Issue of Sexual Violence

Regional Regulations	Accommodate Sexual Violence?
West Kalimantan Provincial Regulation Number 4 in 2015 concerning Child Protection	Yes
Bengkayang Regency Regulation Number 56 in 2017 concerning The Implementation of Protection for Women and Child Victims of Violence	Yes
Raya Kabu District Regional Regulation Number 9 in 2016 concerning The Protection of Women from Acts of Violence	Yes
Landak District Regional Regulation Number 9 in 2020 concerning Child-Friendly Districts	Yes

Source: Processed by the author based on regional regulations in West Kalimantan Province

The policies at the provincial and district levels demonstrate that West Kalimantan Province, especially Bengkayang and Kubu Raya Regencies, has the policy framework to support the implementation of the TPKS Law. However, it is unfortunate that in Landak Regency, there is no Regional Regulation specifically addressing the protection of women and children victims of violence. Nevertheless, Landak Regency has a Regional Regulation on Child-Friendly Cities, which also includes provisions for victims of sexual violence.

Central Sulawesi

In Central Sulawesi Province, there is the Regional Regulation (Perda) Number 3 of 2019 concerning the Implementation of Protection for Women and Children from Acts of Violence. Sexual violence is identified as a form of violence against children and women in this regulation. According to the general provisions of Article 1, number 8, "Violence is any act that results in physical, psychological, sexual, and/or neglect, misery or suffering, including threats to commit acts, coercion, or unlawful deprivation of liberty." Furthermore, in Article 1, number 13, it is stated that "Sexual violence is any act in the form of sexual harassment, forced sexual relations, whether natural or undesirable, with another person for commercial and/or specific purposes." This regulation marks a significant step forward for regional policies at the provincial level.

Central Sulawesi Provincial Regulation Number 3 of 2019 specifically focuses on: 1) Preventing violence against women and children; 2) Providing further referral services for women victims of violence and for children who need special protection; 3) Strengthening and developing institutions that provide protection services for women and children in need of special protection. In 2022, the Regional Government of Central Sulawesi Province issued Regional Regulation (Perda) Number 9 of 2022 concerning the Implementation of Child Protection. This regulation comprehensively addresses child protection, including the TPKS Law as a reference, and recognizes the crime of sexual violence as a form of violence against children. This regulation complements the previous 2019 regulation.

Apart from regional regulations, there are several policies at the district/city level that support the elimination of violence against children. In Palu City, Mayor Regulation Number 1 of 2021 concerning

the Implementation of Protection and Fulfilment of Children's Rights addresses this issue. This Perwali mentions sexual violence as a form of violence against children. The scope of this Perwali includes: a) child protection; b) obligations and responsibilities; c) child participation; d) institutional framework; e) community participation; f) control, guidance, and supervision; and g) coordination and cooperation.

In Donggala Regency, there are two regulations addressing violence against women and children: Regent Regulation (Perbup) Number 5 of 2014 concerning the Protection of Women and Children and Regent Regulation (Perbup) Number 13 of 2020 concerning Procedures for Handling Cases of Violence against Women and Children. Both regulations include sexual violence as a type of violence against women and children. Perbup Number 5 of 2014 outlines the scope of protection regulations, which includes: a) the rights of women and children; b) duties and authority; c) handling acts of violence; d) financing; e) supervision; and f) community participation. In Parigi Moutong Regency, Regent Regulation (Perbup) Number 4 of 2018 concerning the Protection of Women and Children Victims of Violence addresses sexual violence as a form of violence against women and children that needs to be addressed. This regulation stipulates that regional governments are required to provide prevention, integrated services, victim empowerment, rehabilitation, and special protection for children. These efforts involve cooperation between the government, law enforcement officials, and community members.

Finally, in Sigi Regency, Regent Regulation (Perbup) Number 9 of 2016 concerning the Protection of Women and Children Victims of Violence addresses sexual violence as a form of violence against women and children, similar to the Regional Regulations at the provincial level. This Perbup outlines the implementation of protection for women and children victims of violence with the following aims: a) preventing all forms of violence against women and children; b) providing initial treatment to victims; c) offering health services for both physical and psychological victims; d) ensuring protection, security, and legal certainty for women and children victims of violence, as well as witnesses and reporters; e) supporting victim recovery and rehabilitation; f) empowering victims and facilitating their reintegration; and g) coordinating and evaluating the handling of violence against women and children.

Table 3. Regional Regulations in Central Sulawesi that Has Accommodated the Issue of Sexual Violence

Local Regulation	Accomodate Sexual Violence?
Central Sulawesi Provincial Regional Regulation Number 9 of 2022 concerning The Implementation of Child Protection	Yes
Central Sulawesi Provincial Regional Regulation Number 3 of 2019 concerning The Implementation of the Protection of Women and Children from Acts of Violence	Yes
Mayor's Regulation Number 1 of 2021 concerning The Implementation of Protection and Fulfilment of Children's Rights	Yes
Donggala Regency Regent Regulation Number 5 of 2014 concerning The Protection of Women and Children	Yes
Parigi Moutong Regency Regent Regulation Number 4 of 2018 concerning the Protection of Women and Children Victims of Violence	Yes
Sigi Regency Regent Regulation Number 9 of 2016 concerning The Protection of Women and Children Victims of Violence	Yes

Source: Processed by the author based on regional regulations in Central Sulawesi Province

The existence of Regional Regulations at the provincial, district, and city levels demonstrates that regional governments have established frameworks for preventing, handling, and protecting victims of sexual violence, especially children. This policy framework is crucial for the effective and accelerated implementation of the TPKS Law. Consequently, local governments do not need to start from scratch in building an integrated service system for victims of sexual violence, as issues related to sexual violence against women and children have already been recognized and addressed in various existing policies.

Challenges and Integrated Service Support Systems in West Kalimantan

From the results of interviews and FGDs, researchers found various challenges in implementing the TPKS Law to create integrated services for victims of sexual violence in West Kalimantan. These challenges are a) lack of socialisation; b) quantity and quality of human resources; c) absence of monitoring procedures; d) there is no integration of information; e) budget limitations. This challenge is experienced in various institutions including the Women's Empowerment, Child Protection and Family Planning Service (DP3AKB), the Regional Technical Implementation Unit for the Protection of Women & Children (UPTD PPA), the Regional Development Planning Agency (Bappeda), and the Regional Indonesian Child Protection Commission (KPAID).

First, there is a lack of massive outreach regarding the TPKS Law from the central government and regional

governments. In Kubu Raya Regency, some UPTD PPA officers studied the TPKS Law independently, and others got information from Wahana Visi Indonesia (WVI).

"We have not had any socialisation either internally or externally, in fact we hope that it might be facilitated by the central and provincial parties to be able to provide some socialisation, perhaps through socialisation. We just don't understand the TPKS Law, we're afraid we'll be wrong when we talk about it to the public" (UPTD PPA Kubu Raya Regency 2023, FGD 24 March).

Second, another challenge faced by UPTD PPA is related to human resources. According to UPTD PPA in Bengkayang Regency, they are still experiencing challenges in this area. The existing human resources are not adequate to meet the current needs and workload, particularly in terms of professional staff such as clinical psychologists.

"In Bengkayang, the only employee at UPTD is myself, Mother. So only the head is assisted by 3 honorary staff. We are also very lacking here, Mother. That's for the position structure itself, we really need clinical psychologists" (UPTD PPA Bengkayang Regency 2023, FGD 24 March).

"...the second is Social Worker (social worker), Mother. Here we decide on the TPKS Law itself because we need the results of the social report from the Social Worker, while we don't have the UPTD itself, Mother. What we have is still from the Social Service, while the Regional Government itself does not have Social Worker staff. "Third, maybe a mediator too, Ma'am, we have a mediator from the Regent but the mediator ourselves is not yet certified" (UPTD PPA Bengkayang Regency 2023, FGD 24 March).

Additionally, UPTD PPA Bengkayang needs support from human resources such as Social Workers (Peksos) and mediators, who are crucial in assisting and aiding the recovery process for victims of sexual violence. The lack of Social Workers (Peksos) is also an issue for UPTD PPA Kubu Raya. The UPTD PPA institution itself faces a shortage of human resources, particularly permanent psychologists and social workers. This shortage is particularly unfortunate for the UPTD PPA Kubu Raya Regency.

“Well, there are still many UPTD staff that don’t have any structure in the UPTD, unless we only work together like with psychologists. It’s like social workers, but even social workers still work with social services” (UPTD PPA Kubu Raya Regency 2023, FGD 24 March).

Challenges related to human resources are also experienced by Bappeda in 3 districts (Bengkayang, Kubu Raya, and Landak). The issue of limited human resources is primarily due to the insufficient number of personnel. Additionally, KPAID Kubu Raya Regency faces challenges in improving the quality of their human resources. According to KPAID Kubu Raya Regency, it is important for staff who act as mediators in handling cases to receive support or facilities to undergo certification as mediators. This certification will enhance the credibility of mediators at KPAID as professions.

“What we can do, we do. However, we are talking about legality, so far we have been talking about legality to SK, but if we were mediators, it would be good if we had clear legality as mediators like that” (KPAID Kubu Raya Regency 2023, FGD April 3).

Third, another challenge is the lack of a recovery evaluation mechanism for victims of sexual violence. The current documentation system does not include evaluative recording. According to the Kubu Raya Regency DP3KB, victims of violence often experience deep and prolonged trauma, necessitating a monitoring system for their recovery process.

“Well, our weakness is evaluating victims. Especially, ongoing evaluation of victims. We cannot monitor the victim’s progress. This (violence) causes deep trauma. If this TPKS lasts until adulthood, maybe for the rest of his life. Well, we haven’t handled things like this, how to empower them in the future, what if a lot of social conflict occurs for the victims” (DP3KB Kubu Raya Regency 2023, FGD March 24).

Fourth, the monitoring system for the victim’s recovery process needs to be supported by the integration of information regarding court decisions.

According to the Kubu Raya Regency UPTD PPA, it is important for the UPTD PPA to be informed of the results of court decisions on reported cases of violence against women and children. This information is crucial for the UPTD PPA to provide updates to interested parties (such as victims, victims’ families, and witnesses) and to serve as an integrated data centre.

“We want to compare it with the TPKS Law to see whether the punishment is fair, which is decided based on the victim’s suffering. We are still experiencing problems. Among other things, at the time of the court decision against the perpetrator, we didn’t even get information, when it happened, what the results of the decision were, then how long the decision was, then whether the restitution that had been determined was subject to, whether it had accommodated the losses suffered by the victim. (All of that) we didn’t get that information” (UPTD PPA Kubu Raya Regency 2023, FGD 24 March).

Fifth, budget limitations hinder broad outreach. The limited budget allocated to the Landak Regency DSP3AKB makes it difficult for them to reach all villages to conduct outreach, information sharing, and monitoring.

“Our limitations extend to the villages because in Landak Regency we have 156 villages. Indeed, we are also limited in being able to reach out because one of the factors is the budget factor, so our outreach is very small” (DSP3AKB Landak Regency 2023, FGD 24 March).

Budget limitations are also experienced at the Bappeda level. According to Bappeda in Kubu Raya and Landak Regencies, these budget constraints affect the number and reach of Women’s Empowerment (PP) and Child Protection (PA) programs. In Kubu Raya Regency, Bappeda is attempting to secure external funding.

“Yes, the challenges on average are almost the same, for example limited funding... So indeed we in Kubu Raya are currently looking for as many partners as possible, inviting NGO friends, and then there is also some funding from donors, then also CSR from the business world” (Bappeda Kubu Raya Regency 2023, FGD April 3).

Meanwhile, in Landak Regency, Bappeda is also facing budget challenges. Despite the limited budget for implementing Women’s Protection (PP) and Child Protection (PA) programs, Landak Regency Bappeda is seeking funding support from external parties, including through *Corporate Social Responsibility* (CSR) initiatives.

“One of the factors causing this is the limited budget, ma’am, so this is our main obstacle, then human resources

too. Then from some of the challenges that I have conveyed earlier. As for the strategy that we at Bappeda are trying together with the team to develop a strategy... So in Landak Regency itself, coincidentally in 2021 we have formed a CSR forum and yesterday we conveyed this directly through the CSR forum" (Bappeda Landak Regency 2023, FGD April 3).

Despite the many challenges faced, there is notable progress and strong efforts that deserve recognition. In Landak District, there has been a significant push to establish Children's Forums in every village. Out of a total of 156 villages, Children's Forums have been formed in 6 villages. The Village Children's Forum provides a space for implementing programs to prevent sexual violence against children.

"Because in Landak Regency itself, we frankly said that out of 156 villages, there are still only 6 villages that have formed children's forums. This is also a problem and will be our homework in the future. Then, the formation of PATBM. Especially this year, we are trying at least from 156 villages, we are trying to form PATBM in half of them. In our opinion, this is related to Law Number 12 of 2022 because victims are usually afraid to report it directly to the authorities. However, if there is something called PATBM in the village, maybe this is a place for victims to convey what they have experienced" (Bappeda Landak Regency 2023, FGD 3 April).

In addition, the establishment of Community-Based Integrated Child Protection (PATBM) has also been encouraged in this district. PATBM is a movement involving networks or groups of citizens at the community level who work in a coordinated manner to achieve child protection goals, including the prevention and protection of children from sexual violence.

Challenges and Integrated Service Support Systems in Central Sulawesi

From the results of interviews and FGDs, researchers identified several challenges in implementing the TPKS Law related to integrated services in Central Sulawesi. These challenges include: a) the quantity of expert human resources; b) budget limitations; and c) local government perspectives.

First, regarding the quantity of expert human resources, UPTD PPA Central Sulawesi Province noted that restoring the psychological health of victims of sexual violence has not yet become a top priority. The focus remains primarily on social recovery, with psychological recovery not being fully maximised. One effort to support victims' psychological recovery involves providing clinical psychologists at the district and city levels.

"If you really feel that this is important, you should also try your hand at it, especially since the TPKS Law has been confirmed and it is clear that the staff are clinical psychologists, that's it" (UPTD PPA Central Sulawesi Province 2023, FGD 13 April).

The need for expert human resources, such as clinical psychologists, was also highlighted by DP3A Palu City and DP3AKB Parigi Moutong Regency. Article 26 of the TPKS Law stipulates that victims can be accompanied by a support person at all levels of examination in the judicial process. One of these support persons can be an expert, such as a psychologist.

"DP3A Palu City needs human resources, one of which is a psychologist. If possible, clinical psychologists, because so far, when there is recruitment for psychologists, they are usually only placed in community health centres or hospitals, even though the Palu City DP3A also really needs psychologists, especially clinical psychologists" (Palu City DP3A 2023, FGD April 13).

"We really need clinical psychologists, who really don't yet exist in Parigi Moutong Regency. So for the time being, for about a few years, ma'am, we have always worked together with psychologists in the province. So, we still really, really need clinical psychologists" (DP3AKB Parimo Regency 2023, FGD 13 April).

Furthermore, in article 68 of the TPKS Law, it is stated that victims have the right to treatment. One of the rights to treatment is the right to psychological strengthening. Furthermore, Article 70 of the TPKS Law states that psychological strengthening and services are the victim's right to recovery before, during and after the judicial process. The availability of expert human resources is an inseparable part of integrated services.

Second, budget limitations. The lack of budget at the Social Service and DP3AKB has greatly influenced the process of assisting victims in Parimo Regency. The Parimo District Social Service said that geographical factors greatly influence the process of assisting in cases of violence, especially for children. The very remote location and minimal support from operational costs mean that the reach of case assistance is very limited. Several cases were said to be carried out virtually. Some cases can be accompanied by a Social Worker directly, while others cannot.

"Then in terms of handling children, I think the condition of the district is quite far, it is only handled by three professional social workers, with the distance between Parigi Moutong Regency end to end, around 432 km... With the long distance, that is the problem that I am currently experiencing. There are cases where sometimes they pick up the ball like that, there are cases where they go straight

down. So if it's only possible that the distance is close, the distance is close, it's possible, but this is the case at the very edge. Around that, on normal roads it's a 6 hour journey" (Parimo District Social Service 2023, FGD 18 April).

The Parimo Regency Social Service mentioned that there is a Tali Kasih budget from the Ministry of Social Affairs available for assisting cases of violence against children. However, this budget is insufficient for covering operational costs, particularly given the geographical challenges in Parimo Regency. The Tali Kasih Budget is part of Indonesia's social protection scheme, providing social assistance to vulnerable groups. The Tali Kasih Budget is supported by national social institutions, such as Baznas, Dompot Dhuafa, Dompot Peduli, and Peduli Kasih (Kemenkeu.go.id 2023).

"So, like this, there are indeed social workers who have a Tali of Love from the Ministry of Social Affairs, but with the existing coverage distance, it is not comparable to the existing Tali of Love budget from the Ministry or Service... God willing, next year we can still budget for it, especially if the Institution is running "Providing Social Welfare (LPKS) may have a separate budget attached to it" (Parimo Regency Social Service 2023, FGD 18 April).

Apart from issues related to operational costs, budget limitations also affect psychiatric examinations and the availability of safe houses. According to Social Workers from the Parimo Regency Social Service, there are difficulties in securing psychiatric examinations for victims of violence against children, which is particularly frustrating for Social Workers. Additionally, there are no Safe Houses available for victims of violence.

"In Parigi City, I have repeatedly gone to the Women's Empowerment Service for a psychiatric examination but they said there was *no* budget, which really made me... I cried inside my heart. Oh my God, why do they always say there's no budget... I use it as a place to live, sometimes it's a safe house like that" (Social Worker for the Parimo Regency Social Service 2023, FGD 18 April).

Third, the service provider's perspective. In Parimo Regency, issues with the service provider's perspective are still encountered in handling cases of sexual violence against children. According to a Social Worker from the Parimo Regency Social Service, there was a case of sexual violence in 2021 involving a child victim and an adult perpetrator. In resolving this case, the service provider facilitated a peace process, which was a concerning approach.

"There was also a case like that in 2021, they almost repeated it again. In this case, the child victim was still in elementary school, aged 13 years and the perpetrator

was an adult with three brothers. As a result of the sexual assault the child became pregnant, with the suspects being her neighbour's brothers. Well, yesterday the Women's Empowerment and Child Protection Service arranged peace because the perpetrator wanted to arrange peace, the caveat being that he wanted to be given a fantastic amount of money" (Social Worker for Parimo Regency Social Service 2023, FGD April 18).

The peace process in cases of sexual violence against children is very unfortunate for several parties, including Social Services and the Police. This process is often linked to the Restorative Justice approach. The mechanism for handling criminal acts through Restorative Justice is regulated by the Republic of Indonesia National Police Regulation Number 8 of 2021, which concerns the Handling of Criminal Acts Based on Restorative Justice.

Furthermore, the TPKS Law stipulates that criminal cases of sexual violence cannot be resolved outside the judicial process, except in cases involving child perpetrators, as outlined in Article 23. For sexual violence cases where the perpetrator is a child, Law Number 11 of 2012 concerning the Juvenile Criminal Justice System applies. The Juvenile Criminal Justice System (SPPA) covers the entire process of resolving cases involving children in conflict with the law, from the investigation stage to the post-sentence guidance. This framework ensures that the rights of children involved in the legal system are protected, including those who are in conflict with the law, victims of the law, and witnesses to criminal acts.

"When the case was held, the person who was asked for an initial opinion was the Chief of Staff, who explained the case directly. That was because they didn't understand. The Department of Empowerment admitted that if you really want the case to be regulated peacefully, you might be given a nominal amount [as settlement], with the important thing being that the child is safe. How can it be like that, huh? That's what I said, ma'am, I didn't read this. This case is not an offence, this is a pure crime. Even without a formal complaint, the police are obliged to investigate, so why didn't you agree to that? Then what about the support for the mother as the child's companion" (Social Worker for the Parimo Regency Social Service 2023, FGD 18 April).

The perspective of service providers in resolving sexual violence cases plays a crucial role. This indicates that gender equality and children's rights have not yet become mainstream in handling sexual violence cases in Parimo Regency. According to Article 2 of the TPKS Law, the regulation of sexual violence crimes is based on six principles: 1) respect for human dignity; 2) non-discrimination; 3) the best interests of the victim; 4) justice; 5) expediency; and 6) legal certainty.

Additionally, one of the principles of the SPPA (Juvenile Criminal Justice System) Law is the best interests of the child, as stated in Article 2 of that law.

Despite the challenges mentioned, interviews and FGDs revealed several good practices in implementing integrated services in various regions. These practices can serve as models for handling sexual violence cases following the enactment of the TPKS Law. Notable good practices include: a) Village Children's Forums (FAD); b) Community-Based Integrated Child Protection (PATBM); c) Integrative Child Social Welfare Centers (PKSAI); d) operational financing for case resolution from the APBD (Regional Budget); e) monitoring by DP3AKB in the recovery and social reintegration of victims; and f) utilisation of PKK (Family Welfare Empowerment).

Firstly, the establishment of Village Children's Forums (FAD) in Parimo Regency has positively impacted efforts to prevent sexual violence cases. According to DP3AP2KB, children involved in FAD actively report cases of violence and help socialise programs initiated by the local government.

"In Parigi Moutong Regency, the involvement of FAD children is very helpful. From FAD, children act as reporters... and those provide a lot of information to us. In fact, many of them also socialise through all the activities in our service" (DP3AP2KB Parimo Regency 2023, FGD 13 April).

Second, Community-Based Integrated Child Protection (PATBM). In Palu City and Parimo Regency, PATBM plays a crucial role in handling, assisting, and recovering cases of sexual violence against children. For instance, PATBM, in collaboration with the Sikola Mombine Foundation, has established a process for reporting cases of violence against children, extending up to the DP3A at the city and district levels. This demonstrates how PATBM serves as one of the foundational pillars in handling cases at the village and sub-district levels.

"In several assisted areas, we operate in both villages and sub-districts, increasing the capacity of PATBMs formed by villages and sub-districts, and established a case reporting flow which will then be reported to DP3A (Palu City) and DP3AP2KB at the Regency level" (YSM 2023, FGD April 13).

In Parimo Regency, PATBM has been established in three sub-districts, supported by Wahana Visi Indonesia and the Sikola Mombine Foundation. According to DP3AP2KB Parimo Regency, the existence of PATBM is expected to help decrease the number of sexual violence cases. This goal is being pursued through

various programs and coordination between DP3AP2KB and the established PATBM.

"There are PATBMs formed in sub-districts and villages, so we have made a lot of efforts to form PATBMs in sub-districts and villages and we also thank you for the cooperation from Wahana Visi, the Sikola Mombine Foundation, which we have shared a lot with this year, which their focus is around 3 sub-districts. "Well, from the collaboration that we are carrying out, thank God, violence in Parigi Moutong Regency will indirectly decrease, God willing, it will be like that" (DP3AP2KB Parimo Regency 2023, FGD 13 April).

Meanwhile, in Palu City, PATBM has been established in 36 sub-districts in 8 sub-districts. This can be a modality in preventing, handling and recovering cases of sexual violence against children. The existence of PATBM can also be used as a medium for outreach to cases of violence against children down to the sub-district level.

"Then in 8 sub-districts [areas with a village head] and 36 sub-districts [within a city or district], the Palu City DP3A has formed PATBM (Community-Based Integrated Child Protection). In each sub-district, the village head has proposed a decree to the head of the Palu City DP3A." (Palu City DP3A 2023, FGD April 13).

The formation of PATBM itself is very beneficial for victims of sexual violence, especially children. According to the PATBM Guidelines issued by KPPPA in 2016, the emphasis of PATBM activities is on promotive and preventive measures to avoid violence. These activities aim to: a) build anti-violence norms; b) increase parents' ability to raise children away from violent values; and c) increase children's ability to protect themselves from potential acts of violence. PATBM helps victims to be quickly detected and assisted, allowing them to seek help easily and promptly. PATBM also assists victims and their families by referring them to service institutions that suit their problems and needs (KemenPPPA 2016).

Third, the Integrative Child Social Welfare Center (PKSAI). In 2015, the Ministry of Social Affairs of the Republic of Indonesia and UNICEF designed the Integrative Child Social Welfare Program (PKSAI) to protect vulnerable children and families, especially children who are victims of violence, abuse, exploitation, and neglect. PKSAI is implemented at regional and city government levels, aiming to improve coordination among all relevant parties and provide more effective integrative services for child protection throughout Indonesia (UNICEF 2017).

“Yes. Thank you, *Mbak*. This means that we at the Sigi Regional Government have something like PKSAI... We collaborate with several NGOs, whose leads are in the Social Service. Then they joined the Women and Children Protection Service, then Bappeda, PMD (Village Community Empowerment) Service, and several other agencies, and several NGOs which have indeed contributed to the handling of children, especially for sexual violence” (Bappeda Sigi 2023, Interview April 15).

In Sigi Regency, there was a spike in cases of sexual violence against children during the 2018 earthquake. When cases of sexual violence occur, especially against children, PKSAI assists with the case management process. PKSAI includes several institutions such as NGOs, the Social Service, Women’s Empowerment and Child Protection Service, Bappeda, and the Village Community Empowerment Service. This collaboration aims to ensure that the handling of sexual violence cases is effective and swift.

“Well, we saw that, *Mbak*, maybe you remember that in 2018, we experienced an earthquake, right? Well, at the time of the earthquake, fellow volunteers informed us that there was indeed child abuse, including sexual violence... So, we always continue to assist through PKSAI and some of those have been brought to court and some have been punished, right?” (Bappeda Sigi 2023, Interview 15 April).

Furthermore, Bappeda Sigi noted that before the existence of PKSAI, sexual violence cases were mostly resolved according to custom, using a fine payment mechanism. Legal solutions were often seen as not providing access to justice for victims. However, several cases assisted by PKSAI were resolved through the legal system. Bappeda Sigi appreciates and recognizes the benefits of this approach.

“We have a WA [WhatsApp] group, *Mbak*, yes. The PKSAI WA group is still running... Before we had PKSAI, *Mbak*, it was still directed towards custom, and there were all kinds of fines. But since PKSAI has existed since 2017, it has reached the law of the courts. It’s been processed, yes. This is indeed extraordinary, *Mbak*. This is what we have. This institution is very good, *Mbak*. It really has to be maintained because if it goes away it will come back again. Because volunteering is not easy, *Mbak*, yes. A volunteer is... oh... he has to focus, he can’t work anywhere else in my opinion. So in my opinion, we need to give appreciation, *Mbak*, to the people involved there” (Bappeda Sigi 2023, Interview 15 April).

Fourth, the APBD budget for handling cases. Bappeda provides operational budgets for case resolution. This happened in Sigi Regency. Operational costs required by victims and their families victims in the resolution of the case are covered by APBD funds. These operational costs include fees transportation of victims and victims’

families inside go through the entire case resolution process.

“Yes, that’s all, usually to accompany children to family, *Mbak*, that’s it. For example, including to. We will try the court processes. It’s there transportation costs. If it’s like this, Sigi doesn’t exist...there is no District Court yet, which is in Donggala, right. “So, we cover transportation costs, costs for various things through the APBD” (Bappeda Sigi Regency 2023, Interview April 15).

Fifth, there is monitoring from DP3AKB in the process of recovery and social reintegration of victims. In Palu City and Parimo Regency, the Women’s Empowerment and Child Protection Service conducts this monitoring. One aspect of this monitoring is ensuring that children who are victims of violence are able to return to school, as education is a right for children.

“We’re still monitoring, *Mbak*. We started from cases of assistance and monitoring, and are still monitoring the DP3A... Since we have been handling it, *Mbak*, some of them have been able to return to school” (DP3A Palu City 2023, FGD 13 April).

According to monitoring by the Palu City DP3A, children who are victims of sexual violence have been supported to ensure they can exercise their right to return to school. Similarly, DP3AKB Parimo Regency conducts monitoring to ensure that children who are victims of violence also have their right to education upheld.

“There was a case recently where the child was expelled from school, if I’m not mistaken. Then we attempted to mediate because we knew that the school had its own rules, and asked for some kind of cooperation from the school so that the expelled child could transfer... the child themselves no longer wanted to be at that school. Indirectly, we will mediate, move the child to a nearby school or advise them to go to PKBM or a Community Learning Activity Center. Whatever the form, the child still has to learn” (DP3AKB Parimo Regency 2023, FGD 13 April).

DP3AKB Parimo Regency assists children who are victims of sexual violence in school transfers. They mediate with the school to facilitate the child’s move to a new school, aligning with the child’s wishes since bullying often occurs at their original school. Additionally, DP3AKB seeks accessible educational alternatives, such as PKBM (Community Learning Activity Centers), to ensure that the child continues their education.

“Through the PKK, we established P2TP2A service posts in the sub-districts. So, if there is one working group in

the PKK, then each sub-district has one working group. We tried it in 2019 or 2020 throughout Parigi Moutong Regency, meaning 23 sub-districts, we formed it in the sub-districts. So, there is a reporting post for P2TP2A in the sub-district, like that" (DP3AKB Parigi Regency 2023, FGD 13 April).

Sixth, the use of PKK institutions to handle cases of sexual violence is notable. In Parimo Regency, P2TP2A service posts have been established in 23 sub-districts through the PKK institution. This approach is considered a good practice because the PKK, having been established for a long time, can effectively participate in new programs. This integration enhances the effectiveness of institutional responses to sexual violence cases.

Policies Are Available, but Commitment to Implementation is Required

In feminist studies, feminist thinkers have worked to establish the foundations of public policy analysis. They argue that neglecting gender justice issues in the public sphere perpetuates gender inequality in society. This perspective highlights the need to include issues such as domestic violence, reproductive health, and care work in public policy studies (Lombardo & Meier, 2015). This critique has led to a rethinking of what constitutes public policy and what should be considered public affairs (Lombardo & Meier, 2015). Carole Pateman (1983) and Susan Moller Okin (1991) challenge the traditional public-private dichotomy, which often leads to the exclusion of women's human rights issues from public policy. The feminist slogan '*the personal is political*' rejects this dichotomy and argues against excluding women's issues from the public sphere. This also counters the positivistic argument that public policy must be general and universally applicable (Lombardo & Meier, 2015).

In the context of sexual violence, Kate Millett (2000) argues that sexual violence, oppression, and discrimination against women are inherently political due to power dynamics. Unfortunately, society often views these issues as private matters, a perspective perpetuated by educational, religious, and family institutions (Millett, 2000), and this view is often reinforced through public policy. Carole Pateman refers to this as 'the sexual contract', where various taboos and moral rules biased against women's bodies are normalised (Pateman, 1989). This normalization of violence contributes to a culture of sexual violence, which is a major obstacle to eliminating it. In the implementation of public policy, it is crucial to address

this culture of violence through recognition and the development of an integrated service system that includes prevention, treatment, and recovery.

The TPKS Law represents an effort to dismantle the culture of sexual violence through both recognition and an integrated service system. Previously, regulations on sexual violence were limited to the Criminal Code (KUHP). The TPKS Law expands the scope of what constitutes sexual violence and offers protection not only for women but also for men and other sexual minority groups who are vulnerable. This law not only clarifies what constitutes sexual violence and how it should be enforced but also signifies a shift in perspective: sexual violence is now recognized as an issue in the public sphere, rather than merely a private matter.

This research found that there are regional policies supporting the implementation of the TPKS Law, with explicit mentions of protecting children and women from sexual violence. However, the definitions of types of sexual violence in these policies remain limited. These pre-existing policies indicate that violence against women and children, including sexual violence, has become an integral part of regional development. They represent a valuable modality for creating integrated services for victims of sexual violence.

Despite this, various obstacles in policy implementation were identified in the two provinces.

Carol L. Bacchi (1999) observed that, despite the availability of policy instruments, service institutions, and case reporting systems, many women still find it difficult to report cases of sexual violence. Bacchi argued that sexual violence should be viewed as a crime rather than a woman's fault, which is often erroneously attributed to creating sexual attraction. He emphasised the importance of dismantling myths and power relations in various settings—such as education, the workplace, society, and the family—to build an environment free from violence. Bacchi also highlighted the need for public policies to have clear objectives and for their implementation to align with these objectives (Bacchi 1999; 2009; 2016). The findings from the two provinces reveal consistent major themes related to obstacles in realising integrated services: budget limitations, human resources, and work mechanisms.

First, concerning budget limitations, both West Kalimantan and Central Sulawesi highlight this issue. Budget constraints hinder institutions and service

providers (such as UPTD PPA) from delivering optimal services. This problem arises from minimal budget allocations for women's empowerment and child protection at the district and city levels, especially in comparison to the more substantial budgets allocated to other development sectors, such as education and health. Despite existing policies, issues concerning women and children have not yet become a priority in budgetary politics.

In feminist studies, the concept of Gender Responsive Budgeting (ARG) is crucial for ensuring that public policies are effectively implemented with appropriate funding support. ARG analyses the different needs of men and women, ensuring that budgeting systems accommodate these differences and address discrimination (Hasan et al. 2019; UN 2018). Gender responsive budgeting is essential not only for achieving gender justice but also for fiscal justice, as it ensures that gender equality commitments are realised (Stephenson 2018). The absence of gender-responsive budget allocations at the regional level can hinder the effective and timely implementation of the TPKS Law, particularly in the context of integrated services. Support for the elimination of sexual violence must extend beyond policy availability to include practical aspects such as adequate budget and infrastructure.

Second, the issue of Human Resources (HR) presents a significant challenge. In both provinces, similar problems have been observed concerning the quantity and quality of human resources. For instance, several districts/cities lack clinical psychologists at UPTD PPA or P2TP2A who are essential experts in this field. Additionally, there is a minimal understanding of sexual violence among some human resources, requiring them to seek information and enhance their knowledge independently, often without state support. The presence and development of human resources are critical for the success of integrated services under the TPKS Law. According to feminist studies in public policy, the quantity and quality of these human resources, who play a significant role in shaping political agendas and making implementation decisions, are vital (Lombardo & Meier 2015). These actors are crucial in building and executing effective policies.

A feminist analysis of human resources in the implementation of the TPKS Law is needed. This analysis should not only ensure an adequate number of human resources but also address gender composition and perspectives. Further questions include; How many women and men are working in these integrated

services, what are their gender perspectives and their stance on sexual violence, how many female regional heads are there, and how likely are they to prioritise budgets for women's and children's issues? These questions are crucial for situating human resource issues within feminist public policy studies. Policy actors are often viewed as gender-neutral, and gender analysis is frequently overlooked in agenda setting, negotiation, implementation, or evaluation of policies (Lombardo & Meier 2015; Lukes 2015). However, analysing the gender dynamics of policy actors and human resources is essential. Reduction or non-fulfillment of feminist principles related to HR that has alignment and perspective this can create vulnerability in the victim within experiencing layered practices of injustice.

Third, there are issues with working mechanisms at the institutional or organisational level. These problems include the lack of follow-up on work mechanisms after the TPKS Law was passed, ineffective monitoring procedures, and poor communication channels between institutions. One of the main obstacles in these working mechanisms is closely related to budget politics and the availability of human resources. These issues are interconnected and must be considered together when discussing policy implementation. It is crucial to view a policy holistically by examining the relationship between the policy content (text), the instruments (human resources and budget), and the different levels of implementation (national, regional, and institutional/organisational). Policies designed to improve women's quality of life can fail in practice if the actors within the institutions do not share the same perspectives and values (Lombardo & Mergaert 2013; Lombardo & Meier 2015). Likewise, in implementing policies regarding protection of vulnerable groups, especially women and children from sexual violence can fail when synergy of working mechanisms and monitoring procedures and the evaluation is not firmly established in perspective victim.

Thus, feminist policies not only address women's issues substantively but also ensure a gender-equitable distribution of power throughout the implementation process. This involves the involvement of actors who share the same values as the stated goals and are committed to them (Bacchi 2009 & 2016). It includes ensuring that women and those who advocate for gender issues occupy key decision-making positions and receive the necessary support to challenge and change the status quo within institutions and society through public policy instruments (Krizsan & Lombardo 2013; Lombardo & Meier 2015).

Closing

There is a Regency/City Regional Government Policy under Law Number 12 of 2022 concerning the Crime of Sexual Violence, specifically aimed at addressing sexual violence in Indonesian society. This law signifies that the state recognizes sexual violence as a social problem that falls under state responsibility rather than individual responsibility. The TPKS Law outlines the roles of both central and regional governments in prevention, treatment, and recovery, emphasizing that eliminating sexual violence is a government responsibility. This represents progress in fulfilling women's human rights in Indonesia and aligns with the state's obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

In the context of local government, both provinces have adequate policies at the provincial and city/regency levels that support the implementation of the TPKS Law and the eradication of sexual violence. However, the effectiveness of these policies has been limited, as evidenced by case studies in both provinces. Despite the presence of the TPKS Law and supportive policies, challenges in implementation persist and require further attention and commitment. Policies alone are insufficient; they require concrete support and dedicated effort for effective implementation. This research, conducted one year after the passing of the TPKS Law, highlights that as of 2023, several implementing regulations for the TPKS Law had not yet been finalised. This delay has impeded the delivery of integrated services at the regional level.

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End Note

1. Presidential Regulation (Perpres) Number 55 of 2024 concerning Regional Technical Implementation Unit for Women's Protection and Children which was just published on April 22, 2024 strengthen the push for the formation of UPTD PPA.