

LEGAL PROTECTION COUNSELING FOR DOMESTIC VIOLENCE IN LAU GUMBA VILLAGE

Maria Ferba Editya S.¹, Icha Florensia², Jimmy Prisma³, Rocky Batanta⁴
¹⁻⁴Universitas Quality Berastagi, Kota Berastagi, Indonesia

Article info	ABSTRACT
<p>Corresponding Author:</p> <p>Maria Ferba Editya,S. maria.juntakk@yahoo.com Universitas Quality Berastagi Kota Berastagi</p>	<p>The crime of domestic violence (KDRT) is a complex and multifaceted crime. The problem of domestic violence itself is actually a problem that often occurs in married life, but some people do not consider what they experience as a wrong act in the eyes of the law. Therefore, the public needs to be given an understanding of domestic violence, so that if domestic violence occurs or experiences, the victim can take legal steps. This outreach activity in the community is motivated by phenomena that occur in the community. The method used is a participatory method which is expected to play an active role in legal education activities in the form of; (1) Socialization in legal education regarding Law Number 23 of 2004 concerning Domestic Violence; (2) Question and answer session about domestic violence.</p> <p>Keywords: <i>Extension, Hardness, Household.</i></p>
<p>This article distributed under the terms of the Creative Commons Attribution-Share Alike 4.0 International License (https://creativecommons.org/licenses/by-sa/4.0/)</p>	

INTRODUCTION

Domestic violence violates human rights and is a crime against human dignity and a form of discrimination. Violence in any form and for any reason is an unjustifiable crime. Therefore, any violence committed can be reported as a crime that can be prosecuted, no matter how small. Domestic violence is any act against a person, especially women, that causes physical, sexual, psychological distress or suffering or neglect in the family, including threats of acts, coercion, or deprivation of liberty in the household that is unlawful.

There are many factors and backgrounds that can influence or cause domestic violence to occur. The following are some backgrounds and factors related to domestic violence [1] : 1. Patterns of Violence Imitated, 2. Cultural and Social Factors [2], 3. Power Inequality, 4. Emotional Control Problems [3] (Kolibonso, 2018). 5. Substance Abuse, 6. Economic Factors, 7. Mental Health Problems.[4].

Domestic violence is a crime, becoming a debate that attracts the attention and concern of many parties, not only because of the increase in cases, but its intensity is very concerning and has become an iceberg phenomenon. This means that cases of domestic violence are still unclear so that it is very difficult to find real facts that can be used as evidence in the investigation process.[5]. Domestic violence is often referred to as a hidden crime that claims many victims in various levels of society. Its forms can vary and are caused by various factors.[6] As a result, not only women, children also experience it.

The general public still considers family members to be the property of “men” and domestic violence is a private matter that should not be interfered with by other parties. At the same time, the current legal and socio-cultural systems still do not guarantee protection for victims of domestic violence [7]. The enactment of the Republic of Indonesia Law Number 23 of 2004 concerning the Elimination of Domestic Violence (hereinafter referred to as the PKDRT Law) [8], It is hoped that it will be able to protect victims from various acts of domestic violence, which are generally experienced by women as victims.

The state and society must work together in implementing prevention, protection, handling and prosecution of perpetrators of domestic violence. [9]. Based on the provisions of Article 1 Number 4 of the Domestic Violence Law, it states, "Protection is any effort aimed at providing a sense of security to the victim carried out by the family, advocates, social institutions, police, prosecutors, courts, or other parties, either temporarily or based on a court ruling." [10].

The issue of legal protection for victims of domestic violence is a fairly complex issue, because society still considers the problem of domestic violence to be a domestic problem in the household, whereas domestic violence is a crime. The problem can be identified as follows:

1. Partners know but do not understand the contents of Law Number 23 of 2004 concerning the Elimination of Domestic Violence.
2. Partners do not understand the forms of psychological violence and neglect in the household that often occur in household problems.
3. Partners do not understand the form of legal protection for victims of domestic violence that must be provided by the Police.
4. Partners do not understand penal mediation in criminal acts of domestic violence.
5. Partners do not understand the differences in nature and gender in relation to domestic violence.

It is therefore important to hold legal counseling regarding the prevention of domestic violence in Lau Gumba Village, especially for mothers.

Solutions provided

So far, violence has occurred due to a lack of communication and commitment within a family to respond to the dynamics/problems of life, often women and children are the victims. From a social work perspective, this becomes the focus of social work to play a role in efforts to help/assist the recovery of victims who tend to have an impact on the psyche which of course hinders their relationships and social functioning, so that the role of social workers in assistance is greatly needed according to the mandate of article 10 concerning the rights of victims and legal assistance at every level of the examination process in accordance with the provisions of laws and regulations.

In this scientific writing, the problem of domestic violence (KDRT) against women will be discussed in more detail regarding the forms, factors, impacts and handling from a social work perspective. Thus, it is hoped that it can contribute to the handling of victims of domestic violence (KDRT) so that social workers can try to handle it quickly and appropriately.

METHOD

In community service using the legal counseling method, namely providing an explanation regarding counseling on domestic violence. In this legal counseling involving

a number of law students from Quality University Berastagi located in Lau Gumba Village, Berastagi Regency. The participants who attended were the Lau Gumba Village Community consisting of mothers and village officials. The method used is a participatory method which is expected to play an active role in legal counseling activities in the form of; (1) Socialization in legal counseling regarding Law Number 23 of 2004 concerning Domestic Violence; (2) Question and answer session regarding Domestic Violence.

RESULT AND DISCUSSION

The counseling held on Friday, July 6, 2024, at the Office of the Head of Lau Gumba Village, Berastagi District, Karo Regency, went smoothly. The materials provided in this counseling included the definition of domestic violence, forms of domestic violence, causes of domestic violence, efforts to fulfill the rights of victims of domestic violence, and the reporting process if domestic violence occurs. Several participants did not understand the forms of domestic violence and the correct reporting process if domestic violence occurs. In this session, the source explained that domestic violence is violence committed by either a husband or wife in the household, according to Article 1 of the Law on the Elimination of Domestic Violence Number 23 of 2004 (UU PKDRT), domestic violence is any act. . against anyone, especially women, which results in physical, sexual, psychological pressure or suffering and/or neglect of the household, including threats of unlawful acts, coercion or deprivation of liberty in the household. Domestic violence victims are mostly women (wives) and the perpetrators are husbands, although some are also victims. Prohibition of domestic violence: 1. Physical violence Physical violence is an act that causes pain, illness or serious injury, the threat according to article 5 of the law is around 5 years in prison. Moerti Hadiati Soeroso (2012) summarizes the forms of physical violence into 3 (three) groups, namely; violence, murder, torture and rape. 2. Psychological violence Acts that cause someone to lose strength, self-confidence, ability to work, feelings of helplessness and/or severe psychological suffering are regulated in Article 5 paragraph b with a prison sentence of around 3 years. 3. Sexual violence is any form of sexual assault, whether sexual violence occurs or not, regardless of the relationship between the victim and the perpetrator (Aroom Elina Martha, 2003). Sexual violence is punishable by a prison sentence of 12 years, namely 2: a. B. Forced sexual relations between a person in a household with another person for commercial and/or specific purposes (Law No. 23 of 2004).

Consequences of domestic violence a. Impact on physical and mental health Domestic violence can be in the form of physical violence that causes injuries, for example; bruises, headaches and even broken bones. b. Impact on reproductive health and pregnancy Violence between partners affects reproductive health, several studies have shown that women who have experienced domestic violence have a much higher risk of maternal health, including miscarriage and complications during pregnancy. Prevention of domestic violence: a. Practicing religious teachings all religions have good goals, none of them teach violence, so that when religion becomes the mainstay of the family then domestic violence can be avoided. b. Communication in the family should be well established every day, it can start from trivial things like saying goodbye, in good communication there is openness to each other so that it creates a sense of mutual understanding and trust that can be a fundamental solution. c. Education Children from an early age are taught not to hit, not to say harsh words and face anger. Early education is expected to shape the character of children who are carried and adapt to adulthood. d. Counseling for domestic violence. The government has a positive legal product in the

form of the Law on the Elimination of Domestic Violence which can be socialized to the wider community so that the community better understands its impact and prevents domestic violence from occurring.



Figure 1: Community Service Team with students and some of the extension participants



Figure 2: The Head of Community Service provides counseling to the community.



Figure 3: Community Service Team with students and socialization participants

CONCLUSION

Based on community service, providing Domestic Violence (DV) Law Training in Lau Gumba village which provides an understanding to victims and perpetrators of DV in the Lau Gumba village community, as well as the positive and negative impacts of DV. The positive impact of domestic violence is that it can make people aware of the need to prevent and stop domestic violence, while the negative impact of domestic violence not only affects women, but can also affect those who witness it.

BIBLIOGRAPHY

- D. S. Djilarpoin and S. Adam, "Pemenuhan Hak-Hak Korban Kekerasan Dalam Rumah Tangga (Studi Pada Polres Kepulauan Aru)," *SANISA J. Kreat. Mhs. Huk.*, vol. 1, no. 1, pp. 14–23, 2021.
- E. D. Setiamandani and A. Suprojo, "Tinjauan Yuridis Terhadap UU Nomor 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga," *Reformasi*, vol. 8, no. 1, pp. 37–46, 2018
- Iskandar, D. (2016). *Upaya Penanggulangan Terjadinya Kekerasan Dalam Rumah Tangga*. Yustisi,3(2).
- J. M. Saimima, C. Tuhumury, and A. I. J.Masuku, "Penyuluhan Hukum Tentang Tindak Pidana Kekerasan Dalam Rumah Tangga Dan Penanganannya Di Desa Rumberu, Kecamatan Inamosol Kabupaten Seram Bagian Barat," *AIWADTHU J. Pengabd. Huk.*, vol. 1, no. 2, p. 80, 2021, doi: 10.47268/aiwadthu.v1i2.658.
- Kolibonso, R. (2018). *Penegakan hukum kejahatan kekerasan dalam rumah tangga*. *Jurnal Legislasi Indonesia*, <https://e-jurnal.peraturan.go.id/index.php/jli/article/download/296/181>
- Sukardi, D. (2015). *Kajian kekerasan rumah tangga dalam perspektif hukum islam dan hukum positif*. Mahkamah: *Jurnal Kajian Hukum Islam*, <https://www.syekhnurjati.ac.id/jurnal/index.php/mahkamah/article/view/287>
- Sutiawati, S., & Mappaselleng, N. (2020). *Penanggulangan Tindak Pidana Kekerasan dalam Rumah Tangga di Kota Makassar*. *Jurnal Wawasan Yuridika*, <http://e-journal.sthb.ac.id/index.php/jwy/article/view/315>

- Tina Marlina, Montisa Mariana, and Irma Maulida, “Sosialisasi Undang-Undang Nomer 23 Tahun 2004 Tentang Penghapusan Kekerasan Dalam Rumah Tangga,” *Abdimas Awang Long*, vol. 5, no. 2, pp. 67–73, 2022, doi: 10.56301/awal.v5i1.442.
- Wardhani, K. (2021). Kekerasan dalam Rumah Tangga (KDRT) pada Tingkat Penyidikan Berdasarkan Undang-Undang No. 23 Tahun 2004 tentang Penghapusan Kekerasan dalam Rumah Tangga .*Jurnal Riset Ilmu Hukum*, <https://journals.unisba.ac.id/index.php/JRIH/article/view/70>
- Wiyono, B., Arofa, E., Wulansari, E. M., & Susanto, S. (2020). Sosialisasi Undang-Undang Kdrt Dan Perlindungan Anak.*Jurnal Abdimas Tri Dharma Manajemen*,1(2), 42–47.