

An Analysis of Government Policy in the Bali Provincial Administration Concerning Victims of Violence Against Children with Special Needs

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ABSTRACT: Violence against children is a form of human rights violation and can have a serious impact on child mental and development. This violence can manifest itself in a variety of ways, including physical, psychological, sexual, and neglect. Children with Special Needs (ABK), including children with physical, mental, and psychological disabilities, are a group at high risk of becoming victims of violence. The formulation of the problem includes what are the policies carried out by the Bali Provincial Government in dealing with victims of violence against children with special needs as well as legal remedies that can be taken if there is discrimination against children with special needs within the Bali provincial government. The research method used is a normative approach with an analysis of laws and regulations and related policies. The results of the study show that although child protection policies already exist, their implementation still faces various challenges, including: lack of public awareness, limited resources, social stigma, and limited access to mental and psychosocial health services. Overall, despite having a strong legal foundation, the implementation of protection for children with special needs has not been sufficient to ensure optimal recovery for children with special needs who are victims of social support violence.

KEYWORDS: Government Policy, Victims of Violence, Children with Special Needs

INTRODUCTION

Violence against children is a form of human rights violation and can have a serious impact on children's physical, mental and emotional development (Sommaliagustina and Sari, 2018). This violence can manifest itself in a variety of ways, including physical, psychological, sexual, and neglect. Children with Special Needs (ABK), including children with physical, mental, and psychological disabilities, are a group at high risk of becoming victims of violence (Ro'fah and Roosmawati, 2014). Due to physical and communication limitations, they face additional challenges in accessing legal protection and proper care. The phenomenon of violence against children with special needs is a growing problem in Bali. Due to its heterogeneous cultural and social diversity, Bali faces major challenges in reducing violence against these vulnerable groups, including children with disabilities.

Limited access to health facilities, education, and legal protection are factors that worsen their situation. In addition, public ignorance of the rights of children with special needs and opportunities to detect and report violence also exacerbates this problem. Responding to these problems. The Bali provincial government has made efforts to improve the protection of children with special needs through various policies and programs, both in terms of prevention, treatment, and recovery of victims of violence.

The Bali provincial government strives to integrate child protection principles into social, health, educational, and legal policies. However, there are still various challenges in the implementation of this policy, including lack of coordination between facilities, lack of available resources, cultural barriers, and prejudice against children with disabilities. The importance of policy analysis in this context is to assess the extent to which existing policies respond to the needs of children with special needs who are victims of violence, and to improve child protection regulations may be necessary. Furthermore, this analysis ensures that the protection of the rights of children with special needs is more targeted and effective by taking into account the cultural, social, and economic aspects of Bali. Through this policy analysis, it is hoped that synergy can be achieved between local governments, non-governmental organizations, and the general public. This can create a safe and inclusive environment for children with special needs and ensure that their rights can be met. From the description above, the following problems can be raised: What are the policies carried out by the Bali Provincial Government in dealing with victims of violence against children with special needs.

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RESEARCH METHODS

This research uses a normative method, namely literature research by examining literature materials related to the object being researched (Benuf and Azar, 2020). This research uses two types of approaches in examining the legal issues being studied, namely through case and conceptual approaches. The *case approach* allows researchers to base legal arguments on real cases, while the conceptual approach provides a perspective to answer legal research questions by referring to the legal concepts and values that underlie substantial regulatory norms (Rosidi, 2023).

The sources of legal materials used in this study include primary legal materials in the form of the Constitution of the Republic of Indonesia of 1945 article 28I (2), Human Rights Law Number 39 of 1999, and Law Number 23 of 2002 concerning Child Protection. To support the study of this research, secondary legal materials in the form of literature, scientific articles, and books on human rights, child and women's protection are also used. The analysis of this research is carried out through criticism, support, or comment, then draws conclusions about the research findings based on thinking and literature review, in addition to that the analysis is also carried out prescriptively, namely providing an assessment or justification of the legal issue being researched and how it should be from a legal point of view.

RESULTS AND DISCUSSION

Legal Arrangements for Victims of Violence Against Children with Special Needs

At the national level, there are a number of regulations that regulate the protection of children, including children with special needs (ABK), to ensure that their rights are protected from various forms of violence, discrimination, and exploitation. The following are some of the main regulations of Law Number 35 of 2014 concerning Child Protection. Amendments to Law Number 23 of 2002 which affirm special protection for children, including crew members (Aditya, 2020). Article 59 states that children with special needs are one of the groups of children who need special protection. Special protection is provided through preventive, rehabilitative, and special support efforts so that children can live optimally in accordance with their dignity and dignity. Law Number 8 of 2016 concerning Persons with Disabilities.

Specifically regulate the rights of persons with disabilities, including children with special needs, to have access to educational, health, employment, and environmental services without discrimination. Article 5 The right to inclusive education for children with disabilities. Article 26 Ensure the availability of legal aid, health services, and public facilities that are accessible to persons with disabilities. Government Regulation Number 52 of 2019 concerning the Implementation of Social Welfare for Persons with Disabilities. Affirming the rights of children with special needs to receive social rehabilitation, assistance, and social security services from the central and regional governments. The government is obliged to build a support system that ensures that crew members can live independently and productively (Cahyono, 2017). Regulation of the Minister of PPPA Number 10 of 2011 concerning the Policy of Handling Children with Special Needs. Provide specific guidance on the management of violence cases, the fulfillment of the rights of ABK, and rehabilitation mechanisms for children with special needs who are victims of violence. Emphasizing the importance of inclusive services in the fields of education, health, and law. Law Number 20 of 2003 concerning the National Education System. Article 5 Paragraphs 1 and 2: Guarantees the right of every citizen to education, including special education for children with certain needs, such as disabilities. Encourage inclusive education so that children with disabilities can learn with other children without discrimination.

Regulation of the Minister of Education and Culture Number 70 of 2009 concerning Inclusive Education regulates the implementation of inclusive education in schools, which allows children with special needs to study in regular schools with special support. Each school is required to provide special assistant teachers (GPK) and accessibility that is friendly to ABK. Law Number 39 of 1999 concerning Human Rights. Guarantee the right of children, including ABK, to live, grow, and develop without violence or discrimination. Article 66: Emphasizes the state's obligation to protect vulnerable groups, including persons with disabilities and children with special needs. Government Regulation Number 57 of 2017 concerning Child Protection. Arrange special protection mechanisms for children in vulnerable conditions, including children with special needs. The central and regional governments are obliged to provide integrated services for handling cases involving children. Convention *on the Rights of the Child (CRC)*. It was adopted in national law through Presidential Decree Number 36 of 1990 (Sani, 2017). Regulate children's rights universally, including the right of ABK to special protection, education, health, and accessibility. These regulations are an important basis for providing protection, supporting the development of potential, and ensuring that the rights of children with special needs are protected in Indonesia.

Based on Law Number 35 of 2014 concerning Child Protection, the Bali Provincial Government has also implemented various policies to deal with victims of violence against children with special needs. One of the important steps is the implementation of Bali Provincial Government Regulation Number 6 of 2014 concerning Child Protection. The law emphasizes the right of every child to live, grow, develop and participate reasonably in accordance with human dignity, and protection from violence and discrimination, exploitation and trafficking. To ensure the implementation of this policy, the government established the Regional Child Protection Implementation Commission (KPPAD) (Widiati, I, A, P, 2021). KPPAD's mission is to plan, coordinate,

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socialize and provide input on child protection programs as well as provide input to local governments in advocacy, monitoring and evaluation of child protection planning and implementation (Yuda and Rudy, 2018). In efforts to prevent and overcome violence against children with special needs, the government also refers to the Regulation of the State Minister of Women's Empowerment and Child Protection Number 10 of 2011 concerning the Policy on Handling Children with Special Needs, which provides guidelines in the handling and protection of children with special needs from various forms of violence and discrimination. Through this policy, the local government of Bali Province aims to provide comprehensive protection for children with special needs who are victims of violence by involving various related parties and providing services that are easily accessible to the community. The problem of violence against children with special needs (ABK) in Bali, as elsewhere, is a complex problem that requires careful handling and the involvement of various parties.

The Bali Provincial Government faces many obstacles in dealing with victims of violence against children with special needs. Lack of public awareness and knowledge Many parents, families and communities in Bali do not fully understand the rights of children with special needs and how to provide effective support to them. Lack of understanding on how to respond appropriately to ABK can lead to an increase in mistreatment and violence against children. Limited resources and infrastructure Although Bali has become an international tourist destination, there are still limitations in health and education facilities, as well as services for children with special needs. Psychological support services, including education and rehabilitation to meet the needs of ABK, still do not cover all regions, especially in rural areas (Nurfadillah, 2023).

The challenges in a multidisciplinary approach to addressing incidents of violence against crew members require the cooperation of various institutions, including social services, educational services, health services, police, and non-governmental organizations. Coordination between these agencies is often complicated by bureaucratic problems, poor communication, and duplication of tasks, which can hinder a quick and effective response. Social stigma and lack of psychosocial support Children with special needs often continue to experience negative stigma in society. This stigma can worsen their condition and make them more vulnerable to violence and abuse. Without adequate psychosocial support, these children may not receive the protection and recovery they need. Limited access to mental health services in Bali, as in many other areas, access to mental health services, especially those focused on ABK, is still limited.

Many victims of violence, whether special needs or not, need psychological treatment and therapy to cope with their trauma. However, the treatment is not optimal due to limited facilities and experts in their fields. Challenges in Parent Counseling and Empowerment One of the main factors that can reduce violence against children with special needs is to empower parents and families.

The existing policies are not optimal, and although there is already a national policy that regulates child protection, the implementation of these policies at the provincial and district/city levels is still not running smoothly. Some policies are not tailored to the specific needs of children with special needs who are affected by violence and cannot meet their needs as well as possible.

CONCLUSION

The protection of children with special needs in Indonesia, especially in Bali, is influenced by various regulations that provide a legal basis in protecting the rights of children with special needs. Handling incidents of violence against children with special needs requires a holistic approach that includes legal, medical, psychological, and social aspects. Cooperation between governments, local communities, child protection agencies and non-governmental organizations is essential to ensure that children with special needs receive the protection and support they need for a better future. Overall, despite having a strong legal foundation, the implementation of protection for children with special needs has not been sufficient to ensure optimal recovery for children with special needs who are victims of social support violence.

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