



The Role of Paralegals in the Child Protection System in Villages: A Study of Timor Tengah Utara Regency

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Abstract. The 1945 Constitution, Article 28B paragraph (2), and the regulations under it, such as Laws and Ministerial Regulations, have detailed provisions regarding the child protection system. The method in this research is qualitative research, with data collection techniques including observation, documentation, and interviews. The research results indicate that since the enactment of the Regional Regulation of North Central Timor Regency Number 15 of 2016, the Regent's Regulation of North Central Timor Number 54 of 2017, and the Regent's Regulation of North Central Timor Number 55 of 2017, the North Central Timor Regency government, through the Women's and Children's Empowerment Office, has established paralegals in the villages. In carrying out their duties, paralegals formally receive a Decree from the Regent and from the Village Government. Paralegals serve as the extended arm of the local government in providing outreach at the village level and assisting child and female victims in both litigation and non-litigation resolutions.

Keywords : Village; Paralegal; Child Protection

1. INTRODUCTION

The issue of protection remains an important issue to this day, prompting the government to establish regulations from the central level to local government levels, including Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection, Regulation of the Minister of State for Women's Empowerment and Child Protection Number 11 of 2011 on Child-Friendly District/City Policy, Regulation of the Minister of State for Women's Empowerment and Child Protection of the Republic of Indonesia Number 13 of 2010 on Technical Guidelines for Child-Friendly District/City in Villages/Sub-districts, in the Sustainable Development Goals (SDGs) 2030, this year focusing on education (SDG 4) and peaceful societies (SDG 16), including the eradication of violence in schools. Regional Regulation of North Central Timor Regency Number 15 of 2016 concerning the Implementation of Child Protection, Regent Regulation of North Central Timor Number 54 of 2017 concerning the Implementation Regulation of Regional Regulation of North Central Timor Regency Number 15 of 2016 concerning the Implementation of Child Protection. From the above regulations and Regent Regulation of North Central Timor Number 55 of 2017 concerning Standard Operating Procedures for Handling Cases of Violence Against Women and Children.

In the research by Sulistiowati (2020), the findings indicate that in the context of the village, in response to the protection of children's rights, the community and village government become key players with a high level of interest and influence in the agenda

setting of Child-Friendly Villages. In addition, there are many academic and methodological studies that can be researched from child protection policies. From the perspective of policy implementation studies, the implementation of child-friendly policies has been conducted by Himawati (2013), Reisdian et al. (2016), Sari (2016), and Sulistiowati et al. (2017a, 2017b, 2018) (in Sulistiowati (2018)). Similarly, research focusing on policy formulation has been conducted by Derr et al. (2013), Buda (2016), and Sulistiowati. (2020). From the aforementioned academic studies, this research analyzes child protection policies in villages from the child's perspective by measuring the planning and outcomes achieved. Thus, this research serves as a basis for recommendations on child protection policies in North Central Timor Regency. In the Timor Tengah Utara Regency, since 2019 ([www. Tribunnews.com](http://www.Tribunnews.com) accessed on January 12, 2023, at 12:30 Wita), several villages have been designated as child-friendly villages, including Desa Bitefa, Desa Bijeli, Desa Lokomea, Desa Letneo Selatan, Desa Napan, Desa Banafanu, Kelurahan Kefamenanu Utara, Desa Bijaepasu, and Desa Oenenu. The declaration of Child-Friendly Villages in Timor Tengah Utara Regency is a form of support from the local government with the target of realizing Child-Friendly Districts/Cities by 2030 and Golden Indonesia by 2045. This research is important to explore the role of paralegals in the child protection system in villages.

2. LITERATURE REVIEW

First, the definition of Role is expressed by Soerjono Soekanto: "Role is a dynamic aspect of position." (status). If someone fulfills their rights and obligations according to their position, then they are performing a role. Another opinion by Alvin L. Bertran, translated by Soeleman B. Taneko, states that "A role is a pattern of behavior expected from someone who holds a certain status or position." The definition of a role is a set of expectations directed at the holder of a position in a specific role. Role theory states that individuals will experience role conflict when there are two or more pressures occurring simultaneously directed at someone, so that if the individual complies with one, they will have difficulty or be unable to comply with the others. Organizations, as social institutions, have shaped perspectives on the roles accepted by individuals. Role theory reveals that a role is one of the parts played within the overall structure of a group, representing specific behaviors characterized by an individual in a particular social context. Role theory emphasizes the individual nature as a social actor who learns behavior according to the

position they occupy in the work environment and society. Individuals will experience internal conflict if there are two or more pressures occurring simultaneously directed at them.

Second, A paralegal is someone who possesses legal skills but is not a lawyer (a professional) and works under the guidance of a lawyer or is deemed to have the legal ability to use their skills. The term "Paralegal" was first included in legislation in Law Number 16 of 2011 concerning Legal Aid. In Article 9 of the Legal Aid Law, it is mentioned that "Legal Aid Providers have the right to recruit lawyers, paralegals, lecturers, and law faculty students." Meanwhile, Article 10 states that "Legal Aid Providers are obligated to conduct education and training for Legal Aid for advocates, paralegals, lecturers, and law faculty students."

Although it only received formal legitimacy with the term "Paralegal" after the enactment of the Legal Aid Law, many previous regulations had already provided legitimacy for the paralegal position, albeit with different terminologies. Law Number 23 of 2004 on the Elimination of Domestic Violence uses the term "accompanying volunteer" to refer to "paralegal." Meanwhile, Law No. 3 of 1997 on Juvenile Justice uses the term "social worker" (<https://lbhapik.or.id/paralegal/> diakses tanggal 26 November 2024 Pukul 23.00 WITA).

3. METHODS

The type of research used is qualitative, specifically the method that emphasizes interviews, observations, and documentation. The informants in this study are the Regional Government (Department of Women's and Children's Empowerment of North Central Timor Regency), Village Government, and Paralegals. Data analysis in qualitative research occurs during data collection and after the data collection is completed within a certain period. The activities in data analysis include data collection, data reduction, data presentation, and data verification/conclusion.

4. RESULTS AND DISCUSSION

A. Child Protection System at the Village Government Level

The Timor Tengah Utara Regency Government is based on the Timor Tengah Utara Regency Regional Regulation Number 15 of 2016 concerning Child Protection Implementation, the Timor Tengah Utara Regent Regulation Number 54 of 2017

concerning the Implementation Regulation of the Timor Tengah Utara Regency Regional Regulation Number 15 of 2016 concerning Child Protection Implementation. From the above regulations and the Timor Tengah Utara Regent Regulation Number 55 of 2017 concerning Standard Operating Procedures for Handling Cases of Violence Against Women and Children.

As a child protection system at the village level, which serves as an extension of the Timor Tengah Utara Regency Women's Empowerment and Child Protection Office, how can the Timor Tengah Utara Regency P3A Office control down to the village level? It has been found that to maximize the child protection system down to the village, the government has formed or assigned several individuals in each sub-district area as the government's extension, known as paralegals. Paralegals receive assignment letters from the Village Government and also from the Office.

B. The Role of Paralegals in the Village Child Protection System

To clarify the information related to the paralegals mentioned above, the researcher collected data by separately interviewing the village heads and paralegals in Banfanu Village, Kuanek Village, Oenenu Village, Napan Village, and Bitefa Village. It was found that paralegals in the villages have the duty to assist children and women who experience violence. The assistance provided takes the form of litigation assistance, which involves legal support or legal pathways, and non-litigation assistance where the resolution of child-related issues is handled amicably by applying local wisdom from each region. Regarding non-litigation resolution, which is conducted according to local customs, the process can be described as follows, although not all villages are the same: the resolution of issues is handled by the village chief. If a resolution is not found, the matter will be brought to the neighborhood association head for mediation, and so on, continuing to the hamlet if no resolution is reached. It is possible to resolve the issue through legal means or litigation stages, where a paralegal accompanies the victim to law enforcement and the process follows existing legal regulations. Non-litigation resolution is excluded for acts of rape.

The researcher also sought to clarify the budget for paralegals in North Central Timor Regency, and obtained information from the Head of the Child Protection Division of the P3A Office of North Central Timor Regency and the paralegals that these paralegals work voluntarily, but are always provided with training from the Regional Government, Provincial Government, and Central Government. Additionally,

village governments allocate Village Fund (by the Village Government) for the transportation of paralegals during accompaniment, although not all villages and not every year include this budget in the Village Revenue and Expenditure Budget (APBDes), which affects the number of activities adjusted to the government budget.

5. CONCLUSION

Based on the research results above, it can be concluded that the role of paralegals in the village child protection system is highly needed, so both the regional government and the village government need to pay attention through mentoring and training.

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