

## THE ROLE OF THE FAMILY IN PROTECTING CHILDREN DURING THE PANDEMIC

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### ABSTRACT

*This article is the result of community service on child protection during the pandemic. Children are the holders of the future of the country in the future life. Shared responsibility of the community and the state, including the government. The pandemic situation has hampered several activities in the aspects of education, economy, social, including law. The purpose of this community service in the context of responsibility and guarantee for the growth and development of children is a concern, during a pandemic children will continue to do their best in protecting basic rights to ensure good growth and development in the future. Methods of community service use participatory approach. The results of this community service are the effort to protect children during the Covid-19 pandemic is a regulation during this pandemic, the government issued Presidential Decree No. 12 of 2020 concerning the Determination of Non-Natural Disasters Spreading Covid-19 as a National Disaster. This was followed by the ratification of Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating Handling of Corona Virus Disease 2019.*

### A. INTRODUCTION

The young generation is the next generation of the nation in the future. The younger generation is at the forefront as the future leaders of this nation. Furthermore, from the younger generation, we see how each family educates, shapes these young generations because the process of forming future leaders starts from the family as the first school. The family as the smallest unit in the social system plays an important role in creating prosperity. Starting from the family teaches love, develops love, religion and even teaches socio-cultural life. Not only that, in this smallest unit a value or value system is formed that will develop in society. The family has an important role in shaping the nation's next-generation, namely children. Mother as the first school for children. The current conditions faced by people and even around the world are experiencing the impact of the Covid-19 pandemic outbreak. The pandemic is a problem for all nations, not only Indonesia. The impact of the Covid-19 pandemic has had an impact on all aspects ranging from social, economic, educational aspects, even including the law.

As we all know. Mobile phone applications that are equipped with cellular internet connections have become super-sophisticated that can help us as social creatures in life activities.<sup>1</sup> Family is the first place of life, the initial pillar of determining the family, the family is the core of human life. Families are at the forefront of this pandemic to protect families from exposure to the Covid-19 virus and the negative impact of exposure to social media. Lack of supervision can leave children free to access things that are not good. In addition, the use of gadgets that are not wise can be subject to criminal penalties.

Regarding legal protection for children, the State of Indonesia has paid attention to the ratification of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. This change emphasizes the importance of giving criminal sanctions and also fines for criminals. This is also to encourage the misuse of the flow of electronic information to provide a deterrent effect, and concrete steps to restore the situation both psychologically, physically, and socially for children who are victims or children as perpetrators of the crime as an anticipatory step so that children do not become perpetrators in the future.<sup>2</sup>

Article 1 paragraph (2) of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection defines child protection as an activity to guarantee and protect children's rights so that they can develop, live and grow optimally in their dignity. and human dignity, and can also be protected from violence and discrimination.<sup>3</sup> all about the Juvenile Criminal Justice System both put forward the principles general protection of children, namely non-discrimination, best interests of children, survival, and growth and respect for participation child.<sup>4</sup>

In addition to families and schools, the government is also responsible for protecting the growth and development of children. Therefore, the government must protect the growth and development of children. Reinforcement that provides an understanding that children are very important to be protected, in various documents both national and international, explains that child protection can cover various aspects, namely protection of children's human rights and freedoms, child protection in the judicial process, protection of child welfare family, education and social environment), protection of children in matters of detention and deprivation of liberty, protection of children from all forms of exploitation (slavery, child trafficking in prostitution, pornography, trafficking or drug

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1 Deni Sutisna, Apakah Kalian Bahagia Meski Tanpa Handphone? (Identifikasi Kecenderungan Nomophobia Pada Siswa SMAN 1 Pangalengan Bandung), *Community*, Vol.6 No.2 2020, page.132–143

2 Hardianto Djanggih, Konsepsi Perlindungan Hukum Bagi Anak Sebagai Korban Kejahatan Siber Melalui Pendekatan Penal Dan Non Penal, *Mimbar Hukum - Fakultas Hukum Universitas Gadjah Mada*, Vol.30 No.2 2018, page.316–330

3 Faiz Rizziq Muhammad Phillo Cynthia, Arteja Hessa, Perlindungan Hukum Terhadap Anak Atas Pendidikan Pada Masa Pandemi Covid-19, *Journal Law Review*, Vol.20 No.3 2021, page.323–341.

4 Ida Musofiana, Aji Sudarmaji, and Ira Alia Maerani, Aspects of Legal Protection for Children from Cybercrime, *Jurnal Pembaharuan Hukum*, Vol.7 No.3 2020, page.201–210,

abuse, using children to commit crimes and so on), protection of children street children, protection of children from the consequences of war/armed conflict, and protection of children against acts of violence.<sup>5</sup>

## **B. RESEARCH METHODS**

This service program uses a participatory approach. Partners are involved in identifying problems related to the use of gadgets. In the early stages, 11 cadres of Family Welfare Development in Banyumanik were selected purposively to conduct a focused group discussion. The results of the focused group discussion became the basis for the preparation of mentoring materials for Family Welfare Development cadres and building a support system for this program. From the results of the focused group discussion, it was agreed that the implementation of this mentoring program would be carried out in several stages, namely: First, mapping, and problem identification. Second, socialization of the program to members of the Family Welfare Development and community leaders. Third, cadre training for Family Welfare Development. Fourth, reflection, evaluation, and preparation of action plans.

## **C. RESULTS AND DISCUSSION**

Parents often take shortcuts by giving their children a smartphone so that their parents' activities are not disturbed, or when the child is "fussy". This shortcut, which is often not realized, becomes a justification for children to play on their devices and explore the virtual world.

In this time of the Covid-19 pandemic, children also have a strong reason where learning materials and learning themselves are mediated through devices that are connected to the internet. For teenagers, social media is often used as a medium to show their existence and identity. They begin to show what they see and happen in their surrounding, from the ISEAS-Yusof Ishak Institute, which was released on August 21, 2020, have shown that nearly 69 million students lost access to education and learning during the Covid-19 pandemic. But on the other hand, many groups of students from well-to-do families find it easier to study remotely. This research found that only 40% of Indonesians have internet access. The inequality that occurs is because there are several families who cannot afford to buy long-distance communication tools which are now used to carry out the teaching and learning process. The right to obtain education for children is also regulated by Law Number 23 of 2002 concerning Child Protection which has been changed to Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.<sup>6</sup>

The stipulations in Article 5 paragraph (1) of Law Number 20 of 2003, the legal instrument that regulates the protection of children's rights in the United Nations Convention on the 1989 Convention on the Rights of the

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5 Reza Fahlevi, *Aspek Hukum Perlindungan Anak Dalam Prespektif Hukum Nasional*, " *Lex Jurnalica (Journal of Law)*, Vol.12 No.3 2015, page.177–191

6 Mustika Mega Wijaya, *Perlindungan Hukum Terhadap Hak Anak Dibawah Umur Untuk Mendapatkan Pendidikan*, *Palar / Pakuan Law Review*, Vol.1 No.2 2015, page.257–278

Child, have been ratified by more than 191 countries, including Indonesia. As a member of the United Nations, he has also ratified the convention on the rights of the child through Presidential Decree No. 36/1990.<sup>7</sup> The protection provided to children as victims can be in the form of protection in legal proceedings, protection from physical threats, services health, counseling services, and providing information on case developments that befell the victim.<sup>8</sup> According to Barda Nawawi Arief, the protection of children's rights is an effort or legal protection effort related to all freedoms and human rights of children to achieve prosperity. In general, child protection is a way of life and livelihood of children which aims to ensure the growth and development of children properly, both spiritually, physically, and socially. The state is obliged to create a sense of security and provide legal protection to every Indonesian child so that they grow and develop properly and participate in development. Legal protection for children in an effort to protect children related to the freedom and human rights of children.<sup>9</sup>

Child protection is also defined as all activities that guarantee and protect children and their rights so that they can live, grow, develop and participate optimally following human dignity and protection from violence and discrimination. Child protection is a joint activity aimed at securing, procuring, and fulfilling the spiritual and physical welfare of children following their interests and human rights.<sup>10</sup>

The implementation of this community service with good and cooperative partners, starting from pre-field research (site review) to requesting permission to carry out community service and sharing what problems occur at partner locations. The drawback is that the PPKM is still being implemented, so there is still a lack of socialization participants, only 11 (eleven) participants attended from the beginning to the next. Regarding the matter of asking for permission to carry out community service and the cooperation of the participants was very good and cooperative. For proof of implementation, attached with this report.

The identification of the location for the implementation of this community service was carried out in Rukun Warga 01, Banyumanik Village, the problems and reasons why community service was held at this location, due to a pandemic like this, had many impacts, especially in the fields of health, education, and services. The whole world is facing various challenges related to the Covid 19 Pandemic, the risks related to the safety and well-being of children as one of the most vulnerable groups are becoming much higher and intensified in health, crime, and education

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7 Michael H. H. Mumbunan, *Perlindungan Hukum Terhadap Hak Pendidikan Anak Di Bawah Umur*, *Lex et Societatis*, Vol.1 No.4 2013, page.129–142

8 Ida Musofiana, *Perlindungan Hukum Bagi Anak Korban Tindak Pidana Oleh Unit Perlindungan Perempuan Dan Anak (Studi Kasus Di Polrestabes Semarang)*, Universitas Islam Sultan Agung, Semarang, 2015

9 Nawawi Arief Barda, *Beberapa Aspek Kebijakan Penegakan Dan Pengembangan Hukum Pidana*, Citra Aditya Bakti, Bandung, 2005

10 Gosita Arief, *Masalah Korban Kejahatan*, PT. Bhuana Ilmu Populer, Jakarta, 2004

emergencies.<sup>11</sup> As soon as this is often reported, anxiety and sadness arise, children who should be protected, educated and taught are abused and so on. The Unissula community service team, in this case from law faculty lecturers, carries out community service with outreach activities on the legal protection of children. This is also in line with the references that have been published in journal articles.<sup>12</sup>

Pandemi this large-scale phenomenon coupled with a fear of related experts and conditions filled with uncertainty can hurt a child-friendly environment where both children themselves and those around them face significant changes in their lives. Daily social life during the Covid-19 pandemic, in this context, can increase cases of domestic violence, sexual violence, and abuse both physical and non-physical. In addition, all can increase the adverse impact on the psychosocial health of children. Parents and caregivers who contract the virus and are quarantined are causing more children to live outside of parental control, while those living in alternative care institutions and detention are also exposed to intensive security risks.

Increasing poverty and reducing access to education, health, and sanitation significantly pose challenges during a pandemic situation.<sup>13</sup> Increased activity via online, Stress related to economic concerns and poverty, inability to avoid domestic violence, barriers to care caused by death, quarantine or household issues, social isolation, increased interaction with violence in family relationships, disruption of services health, education, civil administration, and other basic services. Coupled with the fear, confusion, and difficulty in adapting to new normal situations, it is not certain when it will be considered stable.

The implementation of risk reduction from the above conditions during the pandemic can be reduced including by the government making other decisions that play a key role in child protection during the Covid-19 pandemic, especially in facilitating, supervising, and promoting the foremost interests of children to face the increased risk of child protection.

The socialization material is taken from the relevant laws and regulations. in 2015 the head of the service has also researched child protection conducted by the Semarang Polrestabes through the Women and Children Protection Unit.<sup>14</sup> Associated with a pandemic period like this, there are many cases of violence against children, child protection amid the Covid-19 pandemic.<sup>15</sup> Furthermore, legal protection for children who are victims of domestic violence,<sup>16</sup> Some of them are psychologically motivated, because

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11 Unicef, *Perlindungan Anak Saat COVID-19, Unicef for Every Child*, 2020.

12 Himmatul Ulya Nanda, *Perlindungan Hukum Terhadap Anak Korban Tindak Pidana Kekerasan Seksual Perspektif Negara Dan Maqashid Syariah*, *Journal of Islamic Law and Family Studies*, Vol.4 No.1 2021, page.30–44

13 Unicef, *Pengurangan Risiko Perlindungan Anak Saat COVID-19, Unicef for Every Child*, 2020.

14 Ida Musofiana, *Perlindungan Hukum Bagi Anak Korban Tindak Pidana Oleh Unit Perlindungan Perempuan Dan Anak (Studi Kasus Di Polrestabes Semarang)*, Universitas Islam Sultan Agung, Semarang, 2015

15 Unicef, *Perlindungan Anak Saat COVID-19*.

16 Ni Wayan et al., *Perlindungan Hukum Terhadap Anak Korban Kekerasan Dalam Rumah Tangga Pada Masa Pandemi*, *Journal Analisis Hukum*, Vol4 No.1 2021, page.89–97

of the many social restrictions/community activities, it is expected to stay at home, decrease in income, and many thoughts of needs are still there but income is reduced. Therefore, including this community service, it is very necessary to provide insight, knowledge and enhance knowledge and discourse so that it does not focus on problems only, but must continue to develop and be creative, including by knowing what children's rights are so that they can treat children with respect. well, given training/socialization education on how to spend time with children with an open mind. This community service activity is carried out online or zoom meeting, considering the government's recommendation to reduce gathering activities or meet/meetings, with the participants for the Community Welfare Development for the 01 Banyumanik Village.

Analysis before and after the intervention, there were many changes in terms of a broader and deeper understanding for the mothers of Family Welfare Development, who initially understood the broad aspects of child protection, became more knowledgeable, that protection is not only a safe and secure home environment. clean, but also related to law and psychology.

Prior to the socialization, an evaluation sheet was given with several questions. Of the 11 (eleven) participants who attended, 73% (seventy-three percent) did not understand child protection, while 27% (twenty-seven percent) of participants understood child protection, can even give examples and show references to legal arrangements.

After the socialization and delivery of material on child protection, significant results were obtained. After the intervention in the form of socialization on child protection material, it was found that 91% (ninety percent) of the participants had more understanding, and 9% (nine percent) still did not understand. This is natural because among the participants in the socialization of this community service are the elderly, who may easily forget or their grasping power begins to decline.

#### **D. CONCLUSION**

Legal protection for children during the pandemic period in the Banyumanik Village environment can be concluded that: In carrying out activities, it is necessary to have good communication between partners and the implementing team for community service activities, to facilitate the achievement of the goals achieved. In community service, the socialization of legal protection for children during the pandemic period in the Banyumanik sub-district turned out to be very useful, especially for the community service participants this time, namely the mothers of Family Welfare Development. Mothers are the heart of the family, madrasas (the first place of education for their children) provide good education and supervision for their offspring that are beneficial; Mothers of Family Welfare Development and several family heads can add knowledge about child protection laws, other laws and regulations such as presidential regulation Presidential Decree Number 12 of 2020 concerning Determination of Non-natural Disasters Spread of COVID-19 as a National Disaster, Regulations Government Number 21 of 2020 concerning Large-Scale Social Restrictions

in the context of Accelerating the Handling of Corona Virus Disease 2019 (COVID-19). How should give the right assessment to children, especially during this pandemic

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