ACCESS TO JUSTICE AND RECOVERY FOR WOMEN & GIRLS IN THE CRIMINAL JUSTICE SYSTEM DURING COVID-19

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**LPSK**

The Indonesian Agency for Witness & Victims’ Protection was established 8th August 2008 (the Agency) The Legal Foundation is Law No 13/2006 on Witness and Victims’ Protection; Law No 13/2006 was later revised with Law No 31/2014 on 17th October 2014.

“Institute for the Protection of Witnesses and Victims, which hereinafter shall be abbreviated with LPSK, is an authorized institute in charge for providing protection and other rights for Witnesses and/or Victims as governed in this Constitution”

- Law Number 31 Year 2014-
Protection and Assistance
To Whom?

Subjects of Protection by the Agency

a. Witness (Article 1 number 1)
b. Justice collaborator (Article 1 number 2)
c. Victims (Article 1 number 3)
d. Informant (Article 1 number 4)
e. Experts (Article 5 number 3)
f. Persons who are able to provide information related with a criminal case although he/she did not hear, see, or experience by himself/herself, provided that such information is related with a criminal act (Article 5 number 3)
LPSK Services for Witnesses & Victims

- **Medical Assistance**: Support provided in order to recover the Victim’s physical health, including to have things arranged when a Victim passed away, such as handling the deceased and funeral.

- **Psychosocial Rehabilitation**: All kinds of form of services and psychological and social assistance with a purpose to provide support to ease, to protect and to recover physical, psychological, social and spiritual condition of the Victims so that they are able to reasonably perform their social function, among others, LPSK endeavors to improve the Victim’s living quality by building cooperation with related authorized institution by providing supply of food, clothes and place to live, assistance in getting a job, or assistance for continuing education.

- **Psychological Assistance**: Support provided by psychologist for Victims who suffer from trauma or other mental health impact in order to recover.

- **Compensation & Restitution**: Repayment for loss provided by the state (Compensation) & Repayment for loss for the Victims or their Families by the perpetrator or a third party (Restitution).
1 in 3 Women Experience Physical or Sexual Abuse

“1/3 of all women and girls experience physical or sexual violence in their lifetime”

“50% killed by their partner or family.”

“Violence against women is a common a cause of death and incapacity for those of reproductive age, as cancer and a greater cause of ill health than road accidents and malaria combined.”

UN Secretary - General Antonius Guternes
Reference: news.un.org downloaded on June 4, 2020
Violence Against Women and Girls
Data Collection during COVID-19 in Indonesia

**LBH APIK**
59 Rape, Sexual Abuse, Domestic Violence Reports during Covid 19 reported in March 2020

**Indonesia Police Report**
19.72 % escalation

Source: https://tirto.id/eNpk

**Ministry of Women Empowerment and Child Protection of the Republic of Indonesia**
2nd March – 26th April 2020, Sexual Abuse Towards Women reached about 173 Cases with 174 Victims; 66% of them are Victims of Domestic Violence & 6% are Victims of human Trafficking


**The Head of the Women Empowerment and Child Protection Yogyakarta**
18 Domestic Violence Cases (14 are women & 4 men Victims), 4 Sexual Abuse Cases reported in March 2020

Source: https://tirto.id/eNpk

**LPSK**
46 people (13 women & 16 Children) reported 20 Sexual Abuse Cases in March-April 2020.

3 People (1 woman & 2 Children) reported Domestic Violence Cases in March – April 2020.

Sumber: https://tirto.id/eNpk
DISTRIBUTION OF ACTIVE CASES OF GENDER-BASED VIOLENCE & TO WOMEN & CHILDREN
BY PROVINCE PER APRIL 2020

H.T : 48 CASES
S.A : 142 CASES
C.S.A : 17 Cases
D.V : 6 Cases
TOTAL : 213 CASES

*) H.T = Human Trafficking / S.A = Sexual Abuse / C.S.A = Children Sexual Abuse / D.V = Domestic Violence
1. Coordinated with the Police Headquarters/Attorney General’s Office/ Supreme Court

2. Coordinated with service providers throughout Indonesia (mobility restrictions in place)

3. Should escalated risks happen, to coordinate with the Local Police.

4. Assessed amount of restitution for victims

5. The Agency dispatched a quick response unit to protect a DV case from out of Jakarta because of escalated threat

6. Coordinated with Religious Leaders/Institutions in provinces
LPSK’s Collaboration with Religious Institutions

**Sexual violence in East Nusa Tenggara**

LPSK Collaborated with Catholic Nuns and Fathers in providing protection to sexual violence survivors in East Nusa Tenggara.

**Religious Boarding Schools in Central Java**

LPSK is providing protection to Sexual Violence Victims & Witnesses for crimes conducted in a religious boarding school. The perpetrator is one of the teachers.

LPSK collaborated with other boarding schools in Central Java, to provide physical protection as well as to provide space for psychological recovery.

**Trafficking in BATAM**

Father Pascalis, head of Pangkalpinang Diocese’s Commission for Justice, Peace and Pastoral Care of Migrants and advocate against Human Trafficking.

LPSK collaborated with Romo Pascalis to provide physical protection as well as to provide psychological assistance.

During last year’s anniversary celebration, LPSK gave him an award to recognize his significant role and active support in protecting victims of human trafficking.
Challenges in Providing Protection during Covid-19

Sexual violence can also be perpetrated by Religious figures such as teachers, owners of boarding schools and other community leaders thus harder for victims to report.

Lockdown in areas thus difficult to access and to ensure victims and witnesses are well enough to go thru the criminal justice system.

Inter-Agency collaboration is needed for law enforcement be upheld

Stigma still attached to victims of violence especially sexual violence

Our Agency’s protection periods of 6 month can be extended if the legal process has not concluded and usually only covers the criminal justice
Recommendation for Religious Organizations for Women and Children Protection

- Internal regulation to prevent and manage Sexual Violence.
- Can provide shelters for protection women and children DV combased physical victims who have nowhere to go.
- Education for children attending religious boarding schools about Sexual and Reproductive Health.
- Social assistance for women heads of households whose income is affected by Covid-19 or whose husband/partners are DV perpetrators.
- Policy in place for women and children experiencing problems during Covid-19.
- The Police need to do outreach services if victims are not able to be mobile because of lockdown/ physical restrictions because of Covid-19.