



Effectiveness of Regional Council Oversight on Implementing Buton Selatan Regulation on Women and Children Protection

King Faisal Sulaiman^{1*}, La Ode Ahmad Seprianto M²

^{1,2}, Faculty of Law, Universitas Muhammadiyah Yogyakarta, Indonesia

*Corresponding Author: king.faisal@umy.ac.id

History Artikel	Abstrak
<i>Masuk: 25 Jun 2025</i> <i>Review: 24 Jan 2026</i> <i>Diterima: 1 Feb 2026</i> <i>Terbit: 1 Feb 2026</i>	<p>Kekerasan terhadap perempuan dan anak di Kabupaten Buton Selatan tetap menjadi masalah serius meskipun telah diundangkannya Peraturan Daerah (Perda) Nomor 2 Tahun 2021. Penelitian ini bertujuan untuk menganalisis problematika atau hambatan efektivitas pengawasan yang dilakukan oleh Dewan Perwakilan Rakyat Daerah (DPRD) Kabupaten Buton Selatan terhadap implementasi Perda tersebut, serta mengidentifikasi akar penyebab dari problem hukum yang muncul. Kontribusi penelitian terletak pada analisis empiris terhadap kesenjangan antara mandat hukum dan praktik pengawasan legislatif di tingkat daerah, dengan fokus spesifik pada konteks Buton Selatan. Metode yang digunakan adalah yuridis empiris dengan pendekatan perundang-undangan dan analisis data kualitatif. Data primer diperoleh melalui wawancara mendalam dengan anggota DPRD dan pemangku kepentingan terkait, sedangkan data sekunder berasal dari dokumen resmi dan laporan kasus. Hasil penelitian menunjukkan adanya problem hukum substantif dalam mekanisme pengawasan DPRD, yang tercermin dari: (1) mekanisme pengawasan yang masih terfragmentasi dan reaktif; (2) hambatan internal seperti kapasitas anggota dewan yang terbatas dan dinamika politik pragmatis; serta (3) hambatan eksternal berupa rendahnya partisipasi masyarakat dan akar masalah sosial-ekonomi yang belum tersentuh kebijakan. Analisis dengan teori oversight mechanism mengungkap bahwa pengawasan DPRD belum berfungsi optimal sebagai instrumen korektif dan preventif. Penelitian ini menyimpulkan bahwa</p>



	<p>terdapat kesenjangan signifikan antara tujuan Perda dan realitas implementasinya, yang diperparah oleh lemahnya fungsi pengawasan legislatif. Rekomendasi difokuskan pada penguatan kapasitas kelembagaan DPRD, reformasi mekanisme pengawasan yang lebih proaktif dan terukur, serta perluasan pendekatan kebijakan yang integratif.</p> <p>Kata kunci: Pengawasan Hukum; Peraturan Daerah; Buton Selatan; Pencegahan Kekerasan; Perlindungan Perempuan dan Anak.</p>
Article's History	Abstrack
<p>Received: 25 Jun 2025 Reviewed: 24 Jan 2026 Accepted: 1 Feb 2026 Published: 1 Feb 2026</p>	<p><i>Violence against women and children in South Buton Regency remains a serious problem despite the enactment of Regional Regulation (Perda) No. 2 of 2021. This study aims to analyze the problems or obstacles affecting the effectiveness of oversight conducted by the Regional House of Representatives (DPRD) of South Buton Regency in supervising the implementation of the regulation, as well as to identify the root causes of the emerging legal problems. The contribution of this research lies in its empirical analysis of the gap between the legal mandate and legislative oversight practices at the local level, with a specific focus on the South Buton context. The study employs an empirical juridical method with a statutory approach and qualitative data analysis. Primary data were obtained through in-depth interviews with members of the DPRD and relevant stakeholders, while secondary data were drawn from official documents and case reports. The findings reveal substantive legal problems in the DPRD's oversight mechanisms, reflected in: (1) oversight mechanisms that remain fragmented and reactive; (2) internal obstacles such as limited capacity of council members and pragmatic political dynamics; and (3) external obstacles in the form of low public participation and underlying socio-economic issues that have not been adequately addressed by policy. Analysis using oversight mechanism theory indicates that DPRD oversight has not functioned optimally as a</i></p>



corrective and preventive instrument. This study concludes that there is a significant gap between the objectives of the Regional Regulation and the realities of its implementation, exacerbated by the weakness of the legislative oversight function. Accordingly, the recommendations focus on strengthening the institutional capacity of the DPRD, reforming oversight mechanisms to become more proactive and measurable, and expanding a more integrative policy approach.

Keywords: *Legal Oversight; Local Regulation; South Buton; Violence Prevention; Women and Children Protection.*

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Introduction

According to the 2024 Annual Report (CATAHU 2024) published by the National Commission on Violence Against Women, there were 334,849 cases of violence against women reported throughout 2023, reflecting a 15.86% increase from the 289,111 cases recorded in 2022 (Rahmadiany et al., 2024). Among these, sexual violence accounted for the highest proportion, followed by psychological abuse, physical assault, and economic violence. The upward trend in reported cases especially sexual violence illustrates the growing urgency for comprehensive and enforceable legal mechanisms (Li et al., 2023).

Data is drawn from multiple sources, including General and Religious Courts, police reports, civil society partners of the Commission, and Women's Service and Referral Units (UPRs) that directly receive victim complaints. Additionally, the Commission's Monitoring Division processes complaints submitted via letters, email, and online platforms. However, these figures are widely believed to reflect only the surface of the problem. Studies suggest that over 90% of sexual violence cases go unreported, often due to stigma, fear of retaliation, institutional distrust, and lack of accessible legal aid (Dewald & and Lorenz, 2022).

The protection of women and child victims of violence is not merely a moral and humanitarian imperative it constitutes a constitutional obligation under Indonesian law and an international legal duty under various human rights treaties (Stark et al., 2021). The State bears responsibility to ensure a responsive, inclusive protection framework, including access to justice, psychosocial rehabilitation, and structural prevention. Yet in reality, domestic environments remain primary sites of abuse, with many women and children trapped in cycles of violence reinforced by economic dependence, cultural norms, and institutional inertia (Sahraoui & Tyszler, 2021).



Public spaces are also unsafe, as women frequently experience sexual harassment in workplaces, schools, and transit systems. Therefore, protection cannot be limited to abstract policy it must manifest through rigorous law enforcement, public education, social services, and cultural reform to dismantle the normalization of violence (Avendaño et al., 2022).

These obligations are reflected in the preamble of the 1945 Constitution and detailed further in Article 28B(2), which affirms children's rights to survival, development, and protection from violence and discrimination (Yanis & Muhtadi, 2023). Statutory safeguards include the Domestic Violence Elimination Law (Law No. 23 of 2004), the Anti-Trafficking Law (Law No. 21 of 2007), the Child Protection Law (Law No. 23 of 2002, as amended), and the landmark Sexual Violence Crimes Law (Law No. 12 of 2022). Collectively, these statutes affirm a comprehensive state duty to prevent, punish, and redress acts of violence, as well as to uphold gender justice and equality (Mahfud & Rizanizarli, 2021a).

Nonetheless, the continued prevalence of violence despite these laws suggests a serious implementation gap. In South Buton Regency, the enactment of Regional Regulation No. 2 of 2021 on the Protection of Women and Children Victims of Violence has yet to result in substantial reductions in reported incidents. This raises pressing questions regarding institutional capacity, political will, and the efficacy of legal enforcement mechanisms at the local level (Juwita, 2023).

Previous studies on legislative oversight in Indonesia have predominantly examined it from a normative or doctrinal perspective, focusing on statutory compliance rather than institutional performance (Alifiyah & Anshori, 2023) (Suripatty & Edyanto, 2023). Other research on the protection of women and children has highlighted legal gaps but rarely assessed the practical role of local legislatures in monitoring regional regulations (Mahfud & Rizanizarli, 2021) (Hasanudin et al., 2023). These studies, while valuable, leave an analytical gap concerning the empirical effectiveness of regional legislative councils in addressing gender-based violence. This study seeks to fill that gap by evaluating the oversight practices of the South Buton Regency Council, identifying both achievements and obstacles, and proposing policy recommendations

This research in South Buton Regency is motivated by indications of a mismatch between the existence of Regional Regulation (Perda) No. 2 of 2021 on the Protection of Women and Children Victims of Violence and the realities on the ground. Although the Regulation has been in force, reports from Commission II of the South Buton DPRD (2022–2024) show a fluctuating yet consistently significant trend in cases of violence, with 79 cases recorded over a three-year period. This situation raises a fundamental question: has the Regional Regulation been implemented effectively, and how has the DPRD's



oversight role, as the representative institution of the people, functioned in ensuring its implementation?

This study argues that optimal legislative oversight is a key determinant of the effectiveness of a regional regulation. Accordingly, the research problems are formulated as follows: (1) What are the problems in the oversight mechanisms of the South Buton DPRD regarding the implementation of Regional Regulation No. 2 of 2021? and (2) What factors hinder the effectiveness of such oversight? The objective of this research is to identify and analyze the root legal problems within the DPRD's oversight mechanisms and the inhibiting factors, in order to provide contextual and constructive recommendations for improvement.

Method

This study employs a normative-empirical legal research design, combining doctrinal analysis with field-based inquiry. The research was conducted in several stages. First, a literature and statutory review was undertaken to identify the legal framework for the protection of women and children, including national legislation and South Buton's Regional Regulation No. 2 of 2021. Second, field research was conducted through semi-structured interviews with members of the Regional Legislative Council, local government officials, law enforcement officers, and women's advocacy groups, complemented by direct observation of council oversight activities. The data sources consist of primary data, derived from interviews and observations, and secondary data, drawn from legislation, official reports, academic works, and NGO publications. The collected data were processed through a qualitative descriptive analysis, involving stages of data reduction, classification, and interpretation, in order to identify oversight patterns, evaluate effectiveness, and reveal key obstacles. The research flow proceeded sequentially from statutory analysis, empirical investigation, to synthesis and evaluation, ensuring a systematic examination of the oversight function (Saputra et al., 2025).

Results and Discussion

Oversight Mechanism by the Regional Legislative Council on the Implementation of Regulation No. 2 of 2021

Bagian Local regulations serve as legal instruments tailored to regional contexts, translating national frameworks into locally responsive governance mechanisms. In their formulation, local governments are required to coordinate with the RLC, which is mandated to absorb public aspirations and oversee policy implementation. However, the oversight authority of the RLC is only broadly mentioned in Article 42(c) of Law No. 32 of 2004 without detailed mechanisms, leaving its interpretation open-ended. In practice, the RLC of South Buton Regency conducts both preventive (pre-audit) and repressive (post-audit) forms of oversight to assess and guide the implementation of



Regulation No. 2 of 2021 on the Protection of Women and Children Victims of Violence (Al-Hammad, 2025).

Based on oversight mechanism theory, effective legislative oversight may operate through the “police patrol” model (routine and proactive supervision) and the “fire alarm” model (complaint-based oversight). The findings indicate that the South Buton DPRD has attempted to employ both models in overseeing the implementation of Regional Regulation No. 2 of 2021. Activities such as field visits and public hearings constitute forms of “police patrol” oversight, while the handling of public complaints reflects the “fire alarm” model. However, a deeper analysis reveals legal problems and structural weaknesses within these mechanisms. First, oversight tends to be reactive and incidental, being initiated primarily after cases arise (fire alarm), rather than being grounded in strategic planning and systematic evaluation based on clear performance indicators (a structured police patrol approach). Second, the “fire alarm” mechanism itself does not function optimally due to low levels of legal awareness among the public to submit reports and insufficient socialization of effective complaint channels to the DPRD. Third, field findings demonstrate weak coordination between the DPRD’s oversight function and law enforcement institutions (the police and courts). The DPRD has tended to act more as a facilitator after cases occur, rather than as an active overseer capable of preventing policy implementation failures at an early stage. This situation indicates a gap between the formal oversight mandate (as stipulated in Law No. 23 of 2014 on Regional Government) and the operational capacity and implementation strategies in practice (Martinelli et al., 2025).

Preventive oversight is conducted before the regulation is implemented, either through direct engagement such as field visits and public hearings or through indirect interventions, such as regulatory review, budgetary analysis, and institutional coordination. The RLC of South Buton has carried out several direct oversight activities, including site inspections in Laompo and Majapahit villages, where council members interacted with victims to evaluate the responsiveness of protection systems. Public hearings were also organized, involving stakeholders such as law enforcement, health workers, women's advocacy groups, and traditional leaders. These forums facilitated dialogue and policy refinement while enhancing transparency through documentation and public access via local media (Arvate et al., 2022).

Indirect oversight involved the establishment of a special review team to examine the regulatory draft, leading to substantial amendments aligned with national legislation such as the Domestic Violence Law. The Council also analyzed the fiscal implications of the regulation, recommending a minimum 5% allocation of the regional budget for gender-based violence prevention programs, as well as optimized use of village funds. Further, the Council maintained open complaint channels and developed a statistical monitoring system to evaluate trends in violence, risk factors, and policy outcomes. From



2022 to 2024, recorded data showed variations in cases of sexual assault, physical abuse, and domestic violence, forming the basis for policy adjustments and proposals for regulatory amendment when necessary (Barth & Jiranek, 2023).

Additionally, the Council conducted regulatory harmonization to prevent legal overlap and to incorporate local innovations, such as involving customary institutions in case management. Throughout 2024, 17 cases were followed up through interagency coordination. Oversight also included routine evaluations of quarterly reports submitted by service units and analysis of incident data across seven districts. This comprehensive approach ensured policy alignment with central government mandates and maximized institutional effectiveness in protecting vulnerable groups.

To reinforce enforcement, the RLC operationalized its constitutional powers, including the right of interpellation, inquiry, and expression of opinion. These legal instruments enabled the Council to summon regional executives for clarification, conduct investigations, and recommend strategic changes. Oversight was also integrated into regular council work programs, including recess activities, enabling members to monitor field implementation, engage community feedback, and verify service delivery (Suripatty & Edyanto, 2023b).

Repressive oversight, on the other hand, addressed the Council's response to cases after violations or complaints occurred. Though typically reactive, such interventions allowed the Council to assess systemic failures and ensure accountability. In two cases during 2024, the RLC directly assisted victims of gender-based violence Wa Ode Kirana Ratri, a 22-year-old survivor of domestic violence, and Safira, a 14-year-old sexual violence survivor. In both instances, the Council supported victims through the legal process, psychological rehabilitation, and access to social assistance, demonstrating a commitment to restorative justice and institutional responsiveness.

In sum, the oversight function of the South Buton RLC in implementing Regulation No. 2 of 2021 exemplifies a layered approach involving legal, budgetary, institutional, and participatory dimensions. Despite structural and geographic challenges, the Council has developed a relatively comprehensive framework that bridges legal mandates with practical enforcement, contributing to a measurable decline in violence cases and offering a model for legislative oversight in other regions. Data on Violence Against Women and Children (2022–2024), South Buton Regency is explained in Table 1.



Table 1. Data on Violence Against Women and Children (2022–2024), South Buton Regency

Type of Violence	2022	2023	2024	Total (3 Years)
Sexual Harassment and Abuse	12	14	10	36
Sexual Intercourse with a Minor	4	6	1	11
Physical Assault	4	5	6	15
Domestic Violence	3	3	5	11
Attempted Rape	1	0	0	1
Neglect (Domestic Setting)	1	0	1	2
Group Assault	1	1	0	2
Sodomy	1	0	0	1
Total Reported Cases	27	29	23	79

Source: Data on Violence Against Women and Children (2022–2024), South Buton Regency, compiled by Commission II of the RLC of South Buton, accessed 10 September 2024.

Obstacles to Oversight of Regulation No. 2 of 2021 by the South Buton Regional Legislative Council

The effective oversight of Regulation No. 2 of 2021 on the Protection of Women and Children Victims of Violence by the South Buton Regional RLC is hindered by both internal and external factors (Hariyanto et al., 2024). Internally, the performance of legislative oversight is constrained by the limited capabilities and qualifications of council members, many of whom lack adequate educational and professional backgrounds in governance, law, or public administration (Ilyasa, 2021). Because the legislative body is not subject to a merit-based recruitment process, a significant number of its members are not fully equipped to carry out their constitutional duties with the necessary level of competence. This results in inconsistent evaluations, misguided recommendations, and policy proposals that often do not correspond with the legal or social realities on the ground (Alifiyah & Anshori, 2023b).

The lack of sufficient formal and non-formal education among legislators directly affects their understanding of institutional responsibilities and legislative functions. Although the legal minimum educational requirement for



members of the RLC is completion of upper secondary education, as stipulated in statutory electoral provisions, this threshold does not ensure the analytical or legislative competencies required for effective oversight (Hertanto et al., 2024). Further complicating matters, the Council often suffers from internal political fragmentation. Pragmatic politics and factionalism frequently undermine the Council's deliberative processes, particularly during supervision of sensitive regulations such as those protecting vulnerable groups. In the case of the oversight of Regulation No. 2 of 2021, political disputes within Commission II delayed coordinated responses and diluted the effectiveness of Council initiatives (Nilawati et al., 2023).

Externally, a key barrier to effective oversight lies in the low level of legal awareness among the general population. Public knowledge of the regulation and its provisions remains minimal, resulting in weak community participation in its enforcement and monitoring. Many citizens are unaware of their rights or the legal protections afforded to victims of violence, and this lack of awareness translates into underreporting and inadequate support for institutional mechanisms. Despite periodic public outreach and socialization efforts, apathy and limited access to legal information remain significant challenges, thereby reducing the impact of community-based monitoring and legal accountability (Hasanudin et al., 2023b).

Another major external constraint is the high incidence of poverty in the region. Based on statistical data from 2022 to 2024, the poverty rate in South Buton consistently remained above 14%, with figures showing 14.41% in 2022, 14.76% in 2023, and 14.28% in 2024. Economic instability contributes directly to cases of domestic violence, as financial hardship is one of the primary stressors leading to family conflicts. Many acts of violence, particularly domestic abuse, stem from the inability of households to meet basic needs, leading to tensions that often escalate into physical or psychological harm against women and children (Myhill & Kelly, 2021). The South Buton RLC's Commission II reported that in the majority of domestic violence cases received between 2022 and 2024, economic insecurity was identified as a core factor particularly in families where the husband was either unemployed or held irregular jobs.

The RLC's findings confirm that the implementation of Regulation No. 2 of 2021 cannot be fully realized without a holistic approach that addresses both institutional deficiencies and broader socio-economic conditions. Legal protections must be supported not only through robust legislative mechanisms and inter-agency coordination but also through structural reforms that promote public legal literacy, gender-sensitive social services, and poverty alleviation. Without such integrative strategies, the regulation's enforcement will continue to face limitations in its reach and impact, and the rights of women and children will remain vulnerable to systemic neglect and



recurring cycles of violence. Data on Violence Against Women and Children (2022–2024), South Buton Regency is explained in Table 2.

Table 2. Data on Violence Against Women and Children (2022–2024), South Buton Regency

No.	Initials	Gender	Age	Type of Case	Date of Incident	District
1	NI	Female	31	Domestic Violence	22/03/2022	Sampolawa
2	FN	Female	19	Domestic Violence	21/06/2022	Batauga
3	Y	Female	39	Attempted Rape	03/06/2022	Batauga
4	H	Female	28	Domestic Violence (Neglect)	18/08/2022	Siompu
5	J	Female	47	Domestic Violence	03/01/2023	Batauga
6	WND	Female	26	Domestic Violence	17/03/2024	Batauga
7	PR	Female	36	Domestic Violence	09/05/2023	Siompu
8	WOK	Female	23	Domestic Violence	09/03/2024	Batauga
9	AT	Female	51	Domestic Violence	09/03/2024	Batauga
10	WM	Female	33	Domestic Violence	31/01/2024	Lapandewa
11	SL	Female	25	Domestic and Sexual Violence	04/10/2024	Siompu
12	WOR	Female	22	Domestic Violence	01/03/2024	Batauga



Source: Data on Violence Against Women and Children (2022–2024), South Buton Regency, compiled by Commission II of the RLC of South Buton, accessed 10 September 2024.

The weaknesses in the oversight mechanisms described above are further exacerbated by a number of inhibiting factors that can be identified at both internal and external levels. Internally, constraints within the DPRD constitute a major obstacle. The human resource capacity of council members remains a central issue. A number of members, including those serving on commissions responsible for gender equality and child protection, possess limited educational backgrounds and insufficient understanding of the complexity of gender-based violence and policy analysis. This limitation directly affects the depth and quality of analysis conducted during oversight activities. In addition, pragmatic political behavior and strong loyalty to political groups or factions often blur the objectivity of legislative oversight. Internal political dynamics may result in the issue of women's and children's protection being treated not as a substantive policy priority, but rather as an instrument for political image-building.

Externally, low levels of public participation in oversight present a serious challenge. In South Buton, particularly in rural areas, domestic violence is still widely perceived as a family disgrace that should be resolved privately, rather than as a legal violation that must be reported and subject to state oversight. High poverty levels, averaging 14.48 percent over the past three years, also constitute a structural root problem that lies largely beyond the reach of the DPRD's current oversight function. Legislative oversight of this Regional Regulation has not been able to encourage or supervise comprehensive economic policies aimed at addressing the underlying causes of structural violence. As a result, the DPRD's oversight tends to focus on outputs, such as case handling, while paying insufficient attention to outcomes, including the reduction of risk factors such as poverty and gender inequality.

Conclusion

Based on the analysis of the research questions, this study concludes that the principal problem in the oversight mechanism of the South Buton DPRD regarding Regional Regulation No. 2 of 2021 lies in its predominantly reactive, unsystematic, and weakly integrated nature with law enforcement processes. Legislative oversight has not yet functioned as an effective preventive instrument; instead, it tends to manifest as ceremonial activities or as responses to cases that have already occurred, rather than as a proactive mechanism aimed at anticipating and preventing policy failures.

The factors hindering the effectiveness of oversight originate from both internal and external dimensions. Internally, constraints arise from the limited capacity of DPRD members and the prevalence of pragmatic political dynamics. Externally, low levels of public participation, persistent poverty,



and social norms that discourage reporting contribute significantly to the weakness of oversight. These combined obstacles prevent the oversight function from effectively bridging the gap between the ideal objectives of the Regional Regulation and the complex realities faced by the community.

In response to these findings, this study advances several recommendations. First, it emphasizes the need to strengthen the institutional capacity of the DPRD by developing a performance-based oversight system grounded in clear and measurable indicators, as well as by providing specialized training for council members in gender-sensitive and child rights, oriented policy analysis. Second, it calls for reform of the oversight mechanisms through the establishment of an integrated and anonymous complaint system that is easily accessible to the public, alongside the implementation of scheduled and thematic oversight visits, rather than relying solely on incidental interventions. Third, the study advocates for a more integrative policy approach, urging the DPRD to expand its oversight focus beyond the implementation of Regional Regulation No. 2 of 2021 to encompass other regional policies that address the root causes of violence, such as poverty alleviation programs, women's economic empowerment initiatives, and gender equality education at the community level. Oversight, in this sense, should be holistic and prevention-oriented. Accordingly, this research confirms the existence of legal problems in the form of implementation gaps and weaknesses in the legislative oversight function. These findings are expected to serve as a critical reference for institutional improvement within the South Buton DPRD and for other regions facing similar contextual challenges.

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