Baseline Study toward Revitalization of Legal Aid and Women’s Legal Empowerment

Prepared for: The World Bank
Revitalization of Legal Aid Program
Research Design
The survey was undertaken using ACNielsen’s multistage random sampling methodology - using a list of sample areas.

**Research Design**

- Random post selection
- Defining post’s service area
- *Random Primary Sampling Unit* selection (3 PSU from each chosen posts; total of 16 respondents with ratio men to women = 50:50)
- Random respondent selection with probability-selection technique (Kish Grid)
- *Paralegal interview*
- *Mediator interview* (nominated by paralegal and community member)
- *Community member interview*
The survey was undertaken using ACNielsen’s multistage random sampling methodology—using a list of sample areas.

Control Area

Random village selection

Random *Primary Sampling Unit* selection (3 PSU from each chosen posts; total of 16 respondents with ratio of men to women = 50:50)

Random respondent selection with probability-selection technique (Kish Grid)

Mediator interview (nominated by community member)

Community member interview
Number of interviews to be carried out are as follows:
- Community member  608
- Paralegal          60
- Mediator           72

### Types of law – Criminal vs Civil

<table>
<thead>
<tr>
<th>Statement</th>
<th>PA (%)</th>
<th>CA (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Robbery is a form of criminal act</td>
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<td>✗ If someone does not fulfill his/her promise to pay his/her debt, then it is a form of criminal act</td>
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### Law in the workplace

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<td>✓ A woman working for a company, a factory for example, has the rights to get pregnancy leave</td>
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<td>✗ For the same job, a superior can pay a different wage to a woman and a man</td>
<td>35</td>
<td>38</td>
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<td>✗ If an employee wants to join an employee community he/she needs permission from his/her company/factory</td>
<td>63</td>
<td>79</td>
</tr>
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<td>✗ Overtime does not need to be paid if the company already gave dinner allocation</td>
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### Women Rights

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<td>✗ If before marriage a woman has a land/house, either bought by herself or heritage from her parents, and then she has a a divorce, then the husband has the rights to take that land/house</td>
<td>6</td>
<td>13</td>
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<td>✓ Ex Husband should support the children financially after divorce</td>
<td>93</td>
<td>93</td>
</tr>
</tbody>
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Knowledge About The Law

% who said the statement is in accordance to law

Base: Community member (CM); n=608

Ref: Q6, 12 CM
The awareness of BPN as an organization that produces land certificates is relatively small amongst community members.

Base: Community member (CM); n=608
Law and legal system knowledge

- There are still many community members that are unlikely to be aware of what characterizes lawful and unlawful behavior.

- Community members already possess an adequate level of legal knowledge in the context of issues that are relevant to them. For example, a laborer has a greater understanding of regulations in the workplace than would a farmer.

- However, there are still several issues that need close attention and further education, as many members are still lacking the legal knowledge. These issues include:
  - Differentiating between criminal and civil law
    - There are still many community members that are not aware of the distinction between the two types of law. A common misconception that arises is the categorization of debt and land disputes as criminal law issues.
  - Laws that regulate the rights of laborers within the workplace
    - Wage discrimination between men and women in the workplace continues to be regarded as appropriate and lawful.
    - Many are still under the impression they must obtain permission from their employer factory/company if they wish to join their employee community.
Community members still do not fully comprehend the purpose of the different legal institutions with respect to executing the process of the law. They find it difficult to differentiate between the duties of each institution. In addition, one third of community members do not know the exact party responsible to propose an accusation to the court. The police have the highest level of awareness amongst all community members.

Q. When someone becomes a victim of physical abuse, where does he/she have to report this matter?

<table>
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<th>Total</th>
<th>PA</th>
<th>CA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>56</td>
<td>55</td>
<td>60</td>
</tr>
<tr>
<td>Government official</td>
<td>16</td>
<td>18</td>
<td>10</td>
</tr>
<tr>
<td>Head of RT</td>
<td>11</td>
<td>11</td>
<td>13</td>
</tr>
<tr>
<td>Society / religion leader</td>
<td>6</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Head of the village / lurah</td>
<td>6</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>Don't know</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

Q. When a criminal act happens, who is in charge to propose an accusation to the court?

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<th>CA</th>
</tr>
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<td>20</td>
<td>21</td>
<td>16</td>
</tr>
<tr>
<td>Prosecuting officer</td>
<td>15</td>
<td>16</td>
<td>11</td>
</tr>
<tr>
<td>Criminal victim</td>
<td>11</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Government official</td>
<td>8</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>Judge</td>
<td>6</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Lawyer</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Don't know</td>
<td>30</td>
<td>29</td>
<td>35</td>
</tr>
</tbody>
</table>
Community members do not fully grasp the duties of various legal institutions in executing the process of the law. They find it difficult to differentiate between the duties of each institution. Some examples of such misconceptions include:
- Believing that it is the police who propose prosecution for criminal actions to the courts
- Believing that the prosecutor is the person that administers justice.
The number of community members that are aware or have ever heard of domestic violence.

Q. Have you ever heard of domestic violence?

Respondents in West Nusa Tenggara, and to some extent the laborers in West Java, are more aware of the term “domestic violence”.

Incidence of respondents who are aware or ever heard of domestic violence:

- 62%

Lampung:
- 48%
- 63%

West Java:
- Farmer: 48%
- Laborer: 83%
- Farmer: 59%
- Laborer: 84%

West Nusa Tenggara:
- 68%
- 84%

Base: Community member; n=608

Ref: Q10CM
Q. And what do you know about domestic violence? What are the meaning/understanding and examples of domestic violence?

The majority of community members are most likely to associate domestic violence with abusive behavior by the husband towards his wife. This behavior by and large refers to physical abuse.

**Understanding**

- Hit, violation, oppression done by a husband to his wife
- Hit, violation, oppression in the household
- Hit, violation, oppression done by a family member to another family member
- Hit, violation, oppression done by a husband to his wife and vice versa
- A quarrel in the household
- A quarrel between husband and wife

**Examples**

- Hit, violation, oppression done by a husband to his wife
- Hit, violation, oppression done by parents to their children
- Hit, violation, oppression done by a father to his child
- A husband verbally abusing his wife
- Hit, violation, oppression done by a father to his family
- Hit, violation, oppression done by a mother to her child

Base: All who are aware or ever heard of domestic violence; CM: n=377; P: n=57

**Incidence of respondents who are aware or ever heard of domestic violence:**

- P: 95
- CM: 62

Base: Community member (CM); n=608
Paralegal (P): n=60

Ref: Q10, 11CM
### Understanding of domestic violence

Q. Please tell me, if you either agree or disagree with the following statements. Your answers should not refer to your own experience, but more to your awareness and understanding in general.

Both physical and sexual abuse are not considered to be legal problems, but rather family problems.

<table>
<thead>
<tr>
<th>Statement</th>
<th>CM - Total</th>
<th>Total Pilot Area</th>
<th>Total Control Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abuse done by a husband to his wife is a family problem not a legal problem</td>
<td>39</td>
<td>42</td>
<td>27</td>
</tr>
<tr>
<td>Abuse done by a father to his child is a family problem not a legal problem</td>
<td>62</td>
<td>62</td>
<td>60</td>
</tr>
<tr>
<td>Abuse done by a mother to her child is a family problem not a legal problem</td>
<td>68</td>
<td>68</td>
<td>68</td>
</tr>
<tr>
<td>A husband forcing his wife to have sex with him is a family problem not a legal problem</td>
<td>67</td>
<td>67</td>
<td>70</td>
</tr>
</tbody>
</table>

% of respondents who are agreed that following matters are considered as family problem and not legal problem.

Base: Community member (CM) who are aware or ever heard of domestic violence; n=377

Ref: Q13CM
# Place or organization where domestic violence should be reported

Q. When someone become a victim of a hit, where does he/she have to report to about this matter?

**Respondents are more comfortable reporting domestic violence to their family**

<table>
<thead>
<tr>
<th>CM - Total</th>
<th>53</th>
<th>48</th>
<th>35</th>
<th>15</th>
<th>12</th>
<th>10</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friends or family</td>
<td>Village officer</td>
<td>Police</td>
<td>Head of RT</td>
<td>Head of village</td>
<td>Informal leader (society/religion)</td>
<td>Don't know</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Pilot Area</th>
<th>51</th>
<th>49</th>
<th>34</th>
<th>15</th>
<th>11</th>
<th>10</th>
<th>2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lampung</td>
<td>58</td>
<td>59</td>
<td>35</td>
<td>2</td>
<td>1</td>
<td>16</td>
<td>3</td>
</tr>
<tr>
<td>West Java - Farmer</td>
<td>61</td>
<td>57</td>
<td>41</td>
<td>15</td>
<td>-</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>West Java - Laborer</td>
<td>60</td>
<td>42</td>
<td>56</td>
<td>10</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>West Nusa Tenggara</td>
<td>34</td>
<td>37</td>
<td>22</td>
<td>30</td>
<td>32</td>
<td>9</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Control Area</th>
<th>61</th>
<th>41</th>
<th>39</th>
<th>17</th>
<th>16</th>
<th>10</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lampung</td>
<td>84</td>
<td>75</td>
<td>28</td>
<td>3</td>
<td>-</td>
<td>25</td>
<td>-</td>
</tr>
<tr>
<td>West Java - Farmer</td>
<td>50</td>
<td>50</td>
<td>34</td>
<td>28</td>
<td>3</td>
<td>-</td>
<td>3</td>
</tr>
<tr>
<td>West Java - Laborer</td>
<td>88</td>
<td>22</td>
<td>56</td>
<td>16</td>
<td>-</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>West Nusa Tenggara</td>
<td>23</td>
<td>16</td>
<td>35</td>
<td>19</td>
<td>61</td>
<td>10</td>
<td>-</td>
</tr>
</tbody>
</table>

Base : Community member (CM); n=608

Ref: Q14CM
**Likeliness of a fair trial**

Q. In your opinion, if somebody around you experienced a domestic violence, how likely will he/she get a fair trial?

*Community members in Lampung (pilot area) and laborers in West Java are pessimistic that victims of domestic violence will achieve a fair trial. It must be noted that both groups possess higher levels of education than any other group.*

<table>
<thead>
<tr>
<th></th>
<th>Average</th>
<th>Top 2 Box</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CM</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>3.47</td>
<td>61</td>
</tr>
<tr>
<td>Total Pilot Area</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lampung</td>
<td>3.44</td>
<td>60</td>
</tr>
<tr>
<td>West Java - Farmer</td>
<td>3.27</td>
<td>48</td>
</tr>
<tr>
<td>West Java - Laborer</td>
<td>3.41</td>
<td>63</td>
</tr>
<tr>
<td>West Nusa Tenggara</td>
<td>3.06</td>
<td>44</td>
</tr>
<tr>
<td><strong>CM</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Control Area</td>
<td>3.76</td>
<td>73</td>
</tr>
<tr>
<td>Lampung</td>
<td>3.57</td>
<td>67</td>
</tr>
<tr>
<td>West Java - Farmer</td>
<td>3.71</td>
<td>78</td>
</tr>
<tr>
<td>West Java - Laborer</td>
<td>3.79</td>
<td>78</td>
</tr>
<tr>
<td>West Nusa Tenggara</td>
<td>3.25</td>
<td>53</td>
</tr>
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*Scale of 5 where 1 is very unlikely and 5 is very likely. Top 2 Box consists of both likely and very likely.*

Base: Community member (CM); n=608

Ref: Q14CM
Domestic violence is a popular terminology amongst the community. The following are perceptions of community members regarding domestic violence:

- Domestic violence is tightly associated to physical abuse between husbands and their wives. For example, if a husband was to physically abuse his wife, it would be seen as a domestic violence issue and be a legal matter.
- Meanwhile physical abuse between one family member to another is considered as a family matter, as well as sexual abuse by a husband towards his wife.

According to the community, if there is a case of domestic violence it should be reported to somebody close (such as friends, family, or neighbors) and the village government (such as head of the village and government official at the village level).

Whilst the interaction between the community members and legal institutions is low, the community still has faith that they receive a fair trial.
Legal education is not popular amongst community members in all areas surveyed.

Q. Have you ever heard of legal education / elucidation / training?
Q. Have you attended or received legal education / elucidation / training in the past 2 years (2003- current)?
Legal education / training / elucidation for the community

- Legal education / training / elucidation are programs that are not familiar to community members, thus attributing to the low level of participation by the community members.

- The community members who attended an education seminar elucidating legal issues stated they see both the benefits and the relevance to themselves of becoming knowledgeable about these issues. In future seminars, they expect to discuss further topics related to their lives, such as domestic violence and divorce.
Paralegals
## Legal knowledge

Q. Please tell me, according to you, if the statements are "in accordance to law" or "Not in accordance to law". Your answers should not refer to your own experience, but your awareness and understanding in general.

**Community members rely on paralegals to manage the post and assist them on legal issues, thus they are expected to have a higher level of knowledge regarding different types of law (criminal, civil law and law within the workplace).**

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<td>✓ Ex Husband should support the children financially after divorce</td>
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Base : Paralegal (P); n=60

Ref: Q7, 13 P
Q. What are the differences between criminal and civil cases? What are the understandings and examples?

There are still many paralegals that do not have a clear understanding of criminal and civil law. The most frequent examples of civil law cases given by paralegals are land and legacy disputes. Robbery and murder were the foremost cases mentioned for examples of criminal law.

**Understanding different types of law**

- **Civil law case (%)**
  - Not including crime: 20
  - The cases related to land dispute: 15
  - The cases which can be solved by kinship: 15
  - The cases related to money: 12
  - Not including violation: 8
  - Don't know: 17

- **Examples (%)**
  - Land dispute: 57
  - Heritage dispute: 33
  - Debt and credit: 15
  - Divorce: 10
  - Corruption: 8
  - Don't know: 10

- **Criminal law case (%)**
  - The cases which are related to crime and violence: 53
  - The cases that need to be solved by legal process: 13
  - Every crime cases: oppression, robbery, and deception: 5
  - There are victims and accused: 5
  - Legal violation: 3
  - Don't know: 17

- **Examples (%)**
  - Robbery: 77
  - Murder: 53
  - Physical abuse: 30
  - Outrage / rape: 22
  - Deception: 10
  - Don't know: 7

Base: Paralegal (P); n=60

Ref: Q25
Victim of physical abuse

Report to

- Police: 77%
- Government official: 10%
- Head of RT: 7%
- Society/religion leader: 2%
- Head of the village/lurah: 2%
- Others: 2%

Q. When someone becomes a victim of a physical abuse, where does he/she have to report this matter?

Propose accusation

- The court:
  - Police: 33%
  - Prosecuting officer: 32%
  - Criminal victim: 20%
  - Government official: 2%
  - Judge: 7%
  - Lawyer: 2%

Q. When a criminal act happens, who is in charge to propose an accusation to the court?

Base: Paralegal (P); n=60

Ref: Q8, 9 P
Q. According to you, what are the responsibilities of the police? And what are the responsibilities of the prosecutor? And what about judge’s responsibilities?

Paralegals find it difficult to differentiate between the duties of each institution.

- **Police (%)**
  - Investigate: 42%
  - Arrest the accused: 38%
  - Protect the community: 18%
  - Collect witness and proof: 17%
  - Determine the accused: 10%

- **Prosecutors (%)**
  - Prosecute the accused: 30%
  - Proceed the problems to the trial: 22%
  - Administer justice: 22%
  - Solve the case: 7%
  - Investigate: 7%

- **Judge (%)**
  - Make a conclusion and decision: 48%
  - Decide the punishment for the accused: 40%
  - Solve the case fairly: 10%
  - Administer justice: 8%
  - Consider the suggestion from attorney and court: 2%

Base: Paralegal (P); n=60

Ref: Q21
Law and legal system knowledge

- Paralegals, as expected, have a high level of legal knowledge. This is very important because paralegals are the management party of the posts, with duties to give legal aid to the community members who have legal problems.
- As with the community, there are still several issues that need close attention such as:
  - Understanding the difference between criminal and civil law
  - Comprehending the duties of each legal institute
Q. And what do you know about domestic violence? What are the meaning/understanding and examples of domestic violence?

Domestic violence is viewed as any form of abuse by the husband towards his wife, however more specifically domestic violence is seen as physical abuse towards the wife by her husband.

### Understanding

<table>
<thead>
<tr>
<th>Incident</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hit, violation, oppression done by a husband to his wife</td>
<td>11</td>
</tr>
<tr>
<td>Hit, violation, oppression in the household</td>
<td>24</td>
</tr>
<tr>
<td>Hit, violation, oppression done by a family member to another family member</td>
<td>26</td>
</tr>
<tr>
<td>Hit, violation, oppression done by a husband to his wife and vice versa</td>
<td>13</td>
</tr>
<tr>
<td>A quarrel in the household</td>
<td>3</td>
</tr>
<tr>
<td>A quarrel between husband and wife</td>
<td>7</td>
</tr>
</tbody>
</table>

Base: All who aware of ever heard of domestic violence; P: n=57

### Examples

<table>
<thead>
<tr>
<th>Incident</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hit, violation, oppression done by a husband to his wife</td>
<td>81</td>
</tr>
<tr>
<td>Hit, violation, oppression done by parents to their children</td>
<td>11</td>
</tr>
<tr>
<td>Hit, violation, oppression done by a father to his child</td>
<td>18</td>
</tr>
<tr>
<td>A husband verbally abusing his wife</td>
<td>7</td>
</tr>
<tr>
<td>Hit, violation, oppression done by a father to his family</td>
<td>3</td>
</tr>
<tr>
<td>Hit, violation, oppression done by a mother to her child</td>
<td>3</td>
</tr>
</tbody>
</table>

Base: Paralegal (P); n=60

Incidence of respondents who are aware or ever heard of domestic violence: 95%
Understanding of domestic violence

Q. Please tell me, if you either agree or disagree with the following statements. Your answers should not refer to your own experience, but more to your awareness and understanding in general.
Q. When someone becomes a victim of physical abuse, where does he/she have to report this matter?
Q. In your opinion, if somebody around you experiences domestic violence, how likely will he/she get a fair trial?

Village officers are usually the first person that will get a report of domestic violence. Only one quarter of the paralegals surveyed are sure that the victims of domestic violence will achieve a fair trial.

% of respondents who agreed that the following matters are considered as family problems and not legal problems

<table>
<thead>
<tr>
<th>Example of domestic violence</th>
<th>Abuse done by a husband to his wife is a family problem not a legal problem</th>
<th>Abuse done by a father to his child is a family problem not a legal problem</th>
<th>Abuse done by a mother to her child is a family problem not a legal problem</th>
<th>A husband forcing his wife to have sex with him is a family problem not a legal problem</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>23</td>
<td>39</td>
<td>47</td>
<td>65</td>
</tr>
</tbody>
</table>

Base: Paralegal (P) who are aware of domestic violence; n=57

Place or person to report domestic violence

- Village officer: 70%
- Friends or family: 58%
- Police: 52%
- Informal leader (society/religion): 20%
- Head of RT: 17%
- Head of village: 8%

Base: Paralegal (P)

Confidence level

- Neither sure nor unsure: 40%
- Bottom 2 box (unsure): 17%
- Top 2 box (sure): 44%

Mean score: 2.93

Base: Paralegal (P)

Ref: Q14, 15, 16P
Almost all paralegals are aware of the term "domestic violence". As is the understanding of the community members, paralegals too associate domestic violence with physical abuse between husbands and their wives.

With the current condition of the legal institutions in Indonesia, paralegals do not have faith that victims will receive a fair and just settlement of their problems.
Q. What needs to be done when a woman reporting an abuse problem she had to you?

When a woman reports a case of domestic violence, paralegals feel that such issues should only be reported to the police if mediation fails. The police are seen as a last resort.
Q. According to you, what is the understanding of “class action”? What is the meaning of “class action”? What is an example of “class action”?

Only 5% of paralegals have a basic understanding of class action, while the remaining do not comprehend the definition of class action. At the same time the majority of paralegals do not have a basic understanding of the meaning of advocacy.

**Class action**

- Community action: 3
- The cases which are related to public: 2
- Wrong answers: 13
- Don’t know: 82

**Advocacy**

- Defense of the victims: 13
- Defense of a case: 7
- Defense in rightness: 2
- Incorrect answers: 45
- Don’t know: 35

Base: Paralegal (P); n=60
Understanding paralegal skills in handling cases

- Mediation is the first step taken by paralegals to settle any form of dispute. If this step fails the next action taken will be to report the matter to the police to enlist their assistance in solving the problem.
- There are still areas of the law on which paralegals need to focus their attention and further educate themselves. Such areas include class action, advocacy and mediation.
- The most frequent legal aid given by the posts is in the area of settling disputes over land and legacy.
Village Mediators
Types of cases settlement by mediation

Q. According to you, which cases/lawsuits can be settled using mediation?
Q. And which cases/lawsuits cannot / should not be settled using mediation but straight to the law process?

Able to be settled by mediation (%)
- Land dispute: 26
- Fights: 26
- Dishonesty: 21
- Household quarrel: 17
- Divorce: 11
- Teenager fights: 11

Unable to be settled by mediation (%)
- Robbery: 51
- Murder: 26
- Land dispute: 21
- Rape: 8
- Livestock theft: 8
- Fights: 4

Base: Mediator (M); n=72
Ref: Q8
Experience in settling problems with mediation - (%)

Q. In the past 2 years (2003 - current), how many:
   (R1) cases reported to you?
   (R2) cases coming directly from troubled parties?
   (R3) cases coming from post paralegal?
   (R4) cases handled with mediation?
   (R5) cases handled with mediation and succeeded?

Q. What kind of cases have you handled with mediation the neighborhood?
Q. From all those cases, which case have you handled the most with mediation?
Q. From the cases that you have handled, which was the easiest to be settled by mediation?
Q. And which case is the hardest to be handled by mediation process?
   By hardest we mean takes the most energy, time and mind consuming according to you.

- Ever reported 9
- Coming directly from troubled parties 8
- Coming from post paralegal 1
- Cases handled with mediation 8
- Handled with mediation and succeeded 7

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Amount (average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ever handled</td>
<td></td>
</tr>
<tr>
<td>Land lawsuit</td>
<td>63</td>
</tr>
<tr>
<td>Teenager fights</td>
<td>15</td>
</tr>
<tr>
<td>Robbery</td>
<td>38</td>
</tr>
<tr>
<td>Fights</td>
<td>19</td>
</tr>
<tr>
<td>Divorce</td>
<td>31</td>
</tr>
<tr>
<td>Domestic violence</td>
<td>22</td>
</tr>
<tr>
<td>Ever handled</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Ever handled</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Handled most often</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- Easiest
  - Divorce 13
  - Domestic violence 13
  - Teenager fights 13

- Hardest
  - Land lawsuit 38
  - Robbery 17
  - Dishonesty 10

Base: Mediator (M); n=72
Ref: Q12, 13
What it takes to be a mediator (%)

Q. According to you, why do people come to you to report their cases?
Q. What is your main occupation / position / role in your neighborhood?
Q. What character is important to have in being a mediator?

There are two factors that need to be fulfilled to be a mediator: Having a good personality and a role in community

Reasons of community to report their problems to mediator

<table>
<thead>
<tr>
<th>Characteristic of a mediator (actual)</th>
<th>Characteristic a mediator should have (ideal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Because i am considered able to solve problems with just 26</td>
<td>Fair 65</td>
</tr>
<tr>
<td>Because they think i am trustworthy 19</td>
<td>Wise 54</td>
</tr>
<tr>
<td>Because i am considered elder and wiser 11</td>
<td>Honest 33</td>
</tr>
<tr>
<td>Because i am considered able to solve problems 7</td>
<td>Neutral 26</td>
</tr>
<tr>
<td>Considered neutral 6</td>
<td>Assertive 14</td>
</tr>
</tbody>
</table>

Role in the community

Head of community organization 17
Head of village 17
Public figure 13

Base: Mediator (M); n=72

Ref: Q4, 7, 11
Opinions regarding mediation - (%)

Q. We have several statements related to solution process by using mediation. Here we have a card with a scale of 1 to 5. Number 1 means you "totally disagree" and number 5 means "totally agree", the lower the number that you point to means that you disagree with the statement. The higher the number that you point to means that agree with the statement. Please point to the number that you feel suits your opinion towards the statement.

<table>
<thead>
<tr>
<th>Mean Score</th>
<th>Top 2 Box</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.5</td>
<td>Mediator is agreed by both quarreling parties (√)</td>
</tr>
<tr>
<td>2.3</td>
<td>Mediator can be from one of the quarreling parties (×)</td>
</tr>
<tr>
<td>4.8</td>
<td>Mediator must treat both quarreling parties fair and square (√)</td>
</tr>
<tr>
<td>2.7</td>
<td>Mediator decision can be called fair even when one of the parties disagree (×)</td>
</tr>
<tr>
<td>2.9</td>
<td>Problem solving must satisfy both parties even if it's not compatible to human rights (×)</td>
</tr>
<tr>
<td>2.4</td>
<td>Mediator can talk about the cases reported to him/her with those who are not related to the case (×)</td>
</tr>
<tr>
<td>4.0</td>
<td>Mediator must propose the way to settle the case to the parties involved (√)</td>
</tr>
</tbody>
</table>

Scale of 5, where 1 is totally disagree and 5 is totally agree. Top 2 Box consists of both agree and totally agree.

Base: Mediator (M); n=72

Ref: Q7
Disputes in the community are common, and when they do arise, there are usually several parties that act as mediators to assist in achieving a fair settlement. These parties are usually trusted by the community members and are chosen based on the following criteria:
- Character: fair, wise, trustworthy
- Role / position in the community: public figure, head of community organization, head of the village.

The disputes most commonly handled by mediators concern land. This type of dispute is also regarded as the most difficult to handle, because of the physical and mental burden it imposes.
Q. With the help of this card, what legal aid have been given from this post?
Q. For what cases do you give legal aid yourself?

Posts mostly gave legal aid in the form of settlement of disputes. In this matter, there is an indication that paralegals are quite strongly attached with the role of mediator.

<table>
<thead>
<tr>
<th>Amount</th>
<th>Types of legal aid</th>
<th>Types of case</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequent</td>
<td>Settlement of a dispute</td>
<td>Land dispute, robbery, legacy dispute</td>
</tr>
<tr>
<td></td>
<td>Legal advise / consultation</td>
<td>Labor case, robbery, debt dispute,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>legacy dispute</td>
</tr>
<tr>
<td></td>
<td>Assistance for people to deal with police</td>
<td>Robbery, fights, oppression</td>
</tr>
<tr>
<td>Seldom</td>
<td>Advocate for a society case</td>
<td>Land dispute, labor case</td>
</tr>
</tbody>
</table>

Base: Paralegal (P); n=60

Ref: Q34, Q35
Q. Have you ever heard about _________ (ANSWER IN Q5), that is a legal aid post?[SA]
INTERVIEWER : Help respondents with other terms for posts used in the village according to information from paralegal
Q. Do you know where the post / ______________ (ANSWER IN Q5) is located? Have you ever come or dealt with the post / ______________ (ANSWER IN Q5)

Conversion rate from aware of the location to ever dealt with the post

Conversion rate from aware/ever heard of the post to become aware of the location

Base : Community members in surveyed areas; n=481

Ref: Q18a, 18b, 18c CM
The most frequent legal aid given by the posts is in the area of settling disputes over land and legacy.

The low level of interaction between the community members and the posts can be attributed to the lack of awareness of the location of the posts. Nevertheless, the posts have a positive image in the eyes of those community members who have had dealings with them.
Women’s Legal Empowerment Program
A Baseline Study toward Women’s Legal Empowerment Program

for:
The World Bank
Research Design
Research Design and Methodology

Quantitative Study

1. General Population → PEKKA members (n=280)
2. Key Informant Survey
   - RPK – Women’s Police Desk (n=17)
   - Justice sector stakeholders (n=32)
     - Police
     - Prosecutors
     - Court
     - Local government


Qualitative Study

1. FGD among PEKKA members (n=12)
2. In depth interviews among PL PEKKA (n=4)

Fieldwork carried on Nov 8 – 18, 2005.
The Main Findings

Knowledge and Attitude of PEKKA Members
- Marriage & Divorce -
**Need for marriage certificate**

Q9. According to you, is the idea “married people do not need a marriage certificate” in accordance to law or not in accordance to law?

_The majority of respondents are aware that in accordance with the law a married couple must possess a marriage certificate._

<table>
<thead>
<tr>
<th></th>
<th>In accordance to law</th>
<th>Not accordance to law</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>Total Pilot Area</strong></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Pacet / Cipanas</td>
<td>99</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Larangan</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gerung</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lingsar</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jonggat</td>
<td>100</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Control Area</strong></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Sukaresmi / Cibadak</td>
<td>98</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>Petarukan</td>
<td>100</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Base: PEKKA members, n=280
**Purpose of marriage certificate**

Q 10. Why did you say that the statement "marriage couple do not have to own a marriage certificate" is ___________________________(Interviewer refer to respondent's answer in Q9 R2)?

Respondents consider a marriage certificate primarily as evidence of a marriage; however there are some members that also view it be a precaution if they were to get a divorce in the future.

<table>
<thead>
<tr>
<th>Purpose of marriage certificate</th>
<th>Total</th>
<th>Pilot Area</th>
<th>Cipanas</th>
<th>Larangan</th>
<th>Gerung</th>
<th>Lingsar</th>
<th>Jonggat</th>
</tr>
</thead>
<tbody>
<tr>
<td>As evidence of marriage</td>
<td>47</td>
<td>47</td>
<td>34</td>
<td>78</td>
<td>38</td>
<td>40</td>
<td>45</td>
</tr>
<tr>
<td>As legal evidence of marriage</td>
<td>37</td>
<td>36</td>
<td>53</td>
<td>18</td>
<td>38</td>
<td>35</td>
<td>40</td>
</tr>
<tr>
<td>To be used in the divorce process</td>
<td>17</td>
<td>20</td>
<td>8</td>
<td>33</td>
<td>23</td>
<td>20</td>
<td>15</td>
</tr>
<tr>
<td>To be used as an ID card</td>
<td>8</td>
<td>5</td>
<td>11</td>
<td>13</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>As legal evidence to get custody of the children during the divorce process</td>
<td>5</td>
<td>5</td>
<td>16</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>A guidance for newly married couples</td>
<td>3</td>
<td>2</td>
<td>5</td>
<td>-</td>
<td>5</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Required to registering “Surat Keluarga”</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>As a guidance to be able to understand the rights of the husband and wife</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>-</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

Base: PEKKA members who mentioned that statement "married people do not need a marriage certificate" as "Not suited the law" n=276
Legal marriage

Respondents consider it vital to obtain a marriage certificate for their 1st marriage, but less of a need for their 2nd marriage.

**Cianjur / Sukabumi**
- **Most often**: the first marriage
- **A few**: second marriage - if the future husband can afford to issue divorce document of previous marriage from Pengadilan Agama

“kalau ada surat nikah kan kalau ada masalah kan kita bisa ngaju-in, tapi kalau nggak ada aktanya ya nggak bisa”

**Brebes / Pemalang**
- **Most often**: all marriages (first or second marriage) are conducted according to legal marriage rules

“harus sah sih,...pemerintahan sah, agama sah, dua-duanya sah”

**Gerung / Lingsar / Jonggat**
- **Most**: first marriage since 2002
- **Some**: before 2003 (usually upon request)

NOTE: Legal marriage is increased since 2002 due to a program “pemutihan akta nikah and akta kelahiran” launched by Pemda. The program has triggered couple to request marriage certificate to obtain birth certificate for their children

“kalau cerai kita bisa tuntut hak gono-gini”

“kalau kita sudah cerai, kita bisa tuntut kasih nafkah ke anak kita,…anak kita kan perlu makan”

Source: ACNielsen Qualitative study
Non legal marriage

A non legal marriage is deemed acceptable, particularly for the 2nd marriage

Non Legal Marriage (according to religious law only)

Cianjur / Sukabumi
Most often: second marriage (do not have divorce document)
Some: former wife does not approve husband to re-marry (polygamy)

Unable to get divorce document/access to legal institution, women are forced to accept Non Legal marriage

Brebes / Pemalang
Some: second marriage – typically polygamy marriage

Non legal marriages driven by polygamy / Cultural issue rather than lack of access to legal institution

Gerung / Lingsar / Jonggat
Most first marriage (before 2002)
Most of the second marriages
A few: typically polygamy marriages

Non legal marriages driven by lack of knowledge about legal marriage procedures, misunderstanding of non-legal marriage as legal marriage

Source: ACNielsen Qualitative Study

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Consequences of non legal marriage

Respondents across all areas have a similar belief regarding the consequence of a non legal marriage.

- **Impact on wife**
  - Husband can leave his wife and children at anytime
  - Wife has no rights to claim possessions gained during marriage when divorced
  - Wife cannot demand financial support to raise children from ex-husband
  - Wife often ends up taking all the responsibilities of raising the children by herself

- **Impact on children**
  - Children do not have inheritance rights to father’s property
  - Children do not have a clear status of their father; difficulties when processing children's birth certificates

Source: ACNielsen Qualitative study
### Need of divorce certificate

Q9. According to you, is the idea “Divorced couple do not need a divorce certificate” in accordance to law or not in accordance to law?

**There is still a belief amongst a minority of respondents in each area surveyed that getting divorced without a divorce certificate is lawful**

<table>
<thead>
<tr>
<th></th>
<th>In accordance to law</th>
<th>Not accordance to law</th>
<th>Don’t Know</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>6</td>
<td>91</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total Pilot Area</strong></td>
<td>7</td>
<td>92</td>
<td>2</td>
</tr>
<tr>
<td>Pacet / Cipanas</td>
<td>13</td>
<td>83</td>
<td>5</td>
</tr>
<tr>
<td>Larangan</td>
<td>3</td>
<td>98</td>
<td></td>
</tr>
<tr>
<td>Gerung</td>
<td>3</td>
<td>98</td>
<td></td>
</tr>
<tr>
<td>Lingsar</td>
<td>18</td>
<td>80</td>
<td>3</td>
</tr>
<tr>
<td>Jonggat</td>
<td></td>
<td>100</td>
<td></td>
</tr>
<tr>
<td><strong>Total Control Area</strong></td>
<td>4</td>
<td>90</td>
<td>6</td>
</tr>
<tr>
<td>Sukaresmi / Cibadak</td>
<td>3</td>
<td>85</td>
<td>13</td>
</tr>
<tr>
<td>Petarukan</td>
<td>5</td>
<td>95</td>
<td></td>
</tr>
</tbody>
</table>

Base: PEKKA members, n=280
Understanding and attitude toward legal marriage / legal divorce

- There is high awareness across areas concerning the importance of conducting legal marriages/divorce.
  ✓ It is beneficial to protect the rights of wives and children
- Regardless of knowledge on the benefits of legal marriage, when facing certain situations some women do not mind a non legal marriage.
- Some situations which trigger non legal marriage:
  ✓ Do not have divorce documents, hence when re-marrying cannot provide documents required
  ✓ Practice of Polygamy marriage
  ✓ Cannot afford to pay the administration fees
- Barrier to obtaining divorce document is caused by:
  ✓ Lack of knowledge on divorce procedures and access to related institution

Due to the lack of knowledge on divorce procedures there is a low degree of possessing a divorce certificate. This could contribute to the high incidence of non legal marriages.
**Knowledge toward marriage issues**

Q9. We have several statements related to your awareness and understanding about the law in general in Indonesia. We will read these statements one by one. Please tell me, according to you, if the statements are “In accordance to law” or “Not in accordance to law”. Your answers should not refer to your own experience, but to your awareness and understanding in general.

### There is a high level of knowledge among all respondents regarding certain marriage issues

#### % PEKKA members who said that these following statements are not accordance to the law

<table>
<thead>
<tr>
<th>Statement</th>
<th>Total</th>
<th>Main Area</th>
<th>Control Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inheritance is only for boys</td>
<td>93</td>
<td>93</td>
<td>93</td>
</tr>
<tr>
<td>If a woman owned land prior to marriage, and she gets a divorce, then her ex husband has right to claim her land</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Ex husband should support the children financially after divorce</td>
<td>✗</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Ex husband can obstruct mothers from seeing the children</td>
<td>✓</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>Ex-husband can claim the children without judge's verdict</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Base: PEKKA members; n=280
Rights on divorce ex-wives

Ex-wives across all areas have a similar level of knowledge regarding their rights

- **Financial Support**
  - To raise children (daily needs, education, health)

- **Property**
  - Property gained during marriage, should be divided equally between husband and wife
  - Should the couple have children, then the wife will obtain a bigger proportion if the children are to be raised by the wife
  - Property owned before the marriage (such as house/land from her parents) should not be divided

- **Raising Children**
  - Wife has right to raise children
  - As children often follow their mother, this never becomes an issue

Source: ACNielsen Qualitative Study
Some ex-wives have asked ex-husbands to give financial support a few times, but when husbands ignored or stopped giving financial support, they did not insist and remained silent.

Even in Brebes/Pemalang, where divorce is settled through court, ex-wives do not do anything if their ex-husbands disregard their rights.

In Lombok, most ex-wives are sent back to their parents. They only bring clothes, cooking equipment & children.

In Cianjur/Sukabumi, depending on the ex-husband, sometimes ex-wives do not get anything except their children.

In Brebes/Pemalang, divorce cases are settled through court, hence property is proportionally divided.

Regardless of their knowledge of rights on divorce, the majority of divorced women do take action to defend their rights.
Barriers to defend rights on divorce

**Limited Access to Formal Institution**
- Lack of knowledge about legal procedures to defend rights on divorce
- Lack of access to institutions to settle problems
- Perception that formal approach requires a lot of money, worried cannot afford it

**Social Stigma**
- Fear of getting into socially unacceptable behavior.
- Perception that ex-wife should not meet ex-husband otherwise she will be seen as bothering ex-husband’s new life/family

Source: ACNielsen Qualitative study
Understanding and attitude toward ex-wife’s rights

- There is a high level of awareness among ex-wife's regarding their rights towards issues such as financial support to raise children, division of property and raising of children.
- However, if the ex-husband does not fulfill his obligations the ex-wife does not insist or take any action to make the ex-husband fulfill his obligation.

*High awareness of ex-wife’s rights are not translated into relevant actions due to lack of power to enforce ex-husband to fulfill his obligation*
The Main Findings

Knowledge and Attitude of PEKKA Members
- Domestic Violence -
Q11. Have you ever heard of the term "domestic violence"?
Q12a. And what do you know about domestic violence?

Respondents are familiar with the term “domestic violence”

<table>
<thead>
<tr>
<th>Pilot Area</th>
<th>No</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pacet - Cipanas</td>
<td>38</td>
<td>63</td>
</tr>
<tr>
<td>Larangan</td>
<td>33</td>
<td>68</td>
</tr>
<tr>
<td>Gerung</td>
<td>28</td>
<td>73</td>
</tr>
<tr>
<td>Lingsar</td>
<td>15</td>
<td>85</td>
</tr>
<tr>
<td>Jonggat</td>
<td>23</td>
<td>78</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Control Area</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sukaresmi - Cibadak</td>
<td>28</td>
<td>73</td>
</tr>
<tr>
<td>Petarukan</td>
<td>48</td>
<td>53</td>
</tr>
</tbody>
</table>

Definition of domestic violence (%)

- Any type of violence by the husband towards his wife in the house: 79%
- Any type of violence by a parent to their children: 18%
- A husband verbally abuses his wife: 14%
- A husband doesn't give support (financial or moral): 14%
- Dishonest husband: 9%
- A quarrel between husband and wife: 6%

Incidence of ever heard of domestic violence (%)

- No, I haven't, 30%
- Yes, I have heard, 70%

Base: PEKKA members; n=280

Definition of domestic violence (%)

Base: PEKKA members who are aware of domestic violence; n=196
Understanding of domestic violence

Physical violence
- Sound understanding of the concept
- Example of physical violence: husband hits/slaps/beats/kicks/pushes wife
- Some have the perception that if physical violence does not make his wife become sick or leave marks on his wife’s body, then it is not categorized as physical violence

“kalau makanan engga siap, suami marah dan mukul. Di mana kopi ini dia langsung hantam, seperti saya ini, contohnya udah ada” (Lombok)

“kekerasan fisik, suami suka seenaknya aja mukul, gampar...ke anak juga ya” (Sukabumi)

“dibentak-bentak, kata-kata mutiara itu pada keluar” (Sukabumi)

“perselisihan rumah tangga yang terjadi, kalau cekcok doank itu engga...biasanya kalau sama istri bertengkar, terus suami bilang bunuh kamu : itu mengancam itu” (Tegal)

Psychological violence
- Limited understanding: only related to verbal violence such as quarrelling using dirty/harsh words

Economical violence
- Husband does not give money to wife to fulfill basic necessities

“kekerasan fisik, psikis, ekonomi dan seksual” (Tegal)

“kita kan capek, suami ingin, harus dilayani” (Sukabumi)

“pemaksan seksual, kalau kita nggak mau suka dipaksa” (Sukabumi)

Sexual violence
- Limited understanding i.e. husband forces wife to have sex while she is sick/having period

Domestic Violence

Source: ACNielsen Qualitative Study
## Understanding of domestic violence

Q 12b. And what is an example of domestic violence?

**Domestic violence is mainly regarded as physical abuse by a husband to his wife**

<table>
<thead>
<tr>
<th>Interviewed</th>
<th>Total</th>
<th>Pilot Area</th>
<th>Control Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hit, violation, oppression done by a husband to his wife in the house</td>
<td>79</td>
<td>85</td>
<td>60</td>
</tr>
<tr>
<td>A husband verbally abuses his wife</td>
<td>14</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>A husband doesn't give support (financially or morally) to his family</td>
<td>14</td>
<td>8</td>
<td>30</td>
</tr>
<tr>
<td>Hit, violation, oppression done by father to his child</td>
<td>10</td>
<td>12</td>
<td>4</td>
</tr>
<tr>
<td>Dishonest husband</td>
<td>9</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>A quarrel between husband and wife in the house</td>
<td>6</td>
<td>3</td>
<td>14</td>
</tr>
<tr>
<td>Hit, violation, oppression done by parents to their child</td>
<td>5</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Hit, violation, oppression done by mother to her child</td>
<td>5</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>A husband leaving his family (his wife and his children)</td>
<td>3</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Hit, violation, oppression done by children to their parents in the house</td>
<td>3</td>
<td>3</td>
<td>-</td>
</tr>
</tbody>
</table>

Base: PEKKA members who are aware of domestic violence; n=196
## Attitude towards domestic violence

Q13. We have several statements related to your awareness and understanding about domestic law in Indonesia in general. We will read the statements one by one. Please tell me, whether you agree or disagree with the statements. Your answers should not refer to your own experience, but more to your awareness and understanding in general.

### Respondents in pilot areas have a better understanding about domestic violence compared to those in control areas.

<table>
<thead>
<tr>
<th>% PEKKA members who agree that these following statements are family problems not legal problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abuse done by a husband to his wife</td>
</tr>
<tr>
<td>---</td>
</tr>
<tr>
<td>✗</td>
</tr>
<tr>
<td>Total</td>
</tr>
<tr>
<td>Pilot Area</td>
</tr>
<tr>
<td>Control Area</td>
</tr>
</tbody>
</table>

### This is due to the socialization of the project commencing before the baseline was conducted

Base: PEKKA members who are aware of domestic violence; n=196
### Place to report domestic violence case

Q 15. To whom will you ask for help, should you experience domestic violence?

Respondents are reluctant to report any form of domestic violence that occurs in the neighborhood to legal institutions. Approximately a quarter of respondents will go to the police should domestic violence occur.

<table>
<thead>
<tr>
<th>interviewed</th>
<th>Total</th>
<th>Pilot Area</th>
<th>Pacet/ Cipanas</th>
<th>Larangan</th>
<th>Gerung</th>
<th>Lingsar</th>
<th>Jonggat</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>280</td>
<td>200</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>40</td>
<td>80</td>
</tr>
<tr>
<td>Family / relatives / friends</td>
<td>62</td>
<td>55</td>
<td>88</td>
<td>60</td>
<td>38</td>
<td>43</td>
<td>48</td>
<td>79</td>
</tr>
<tr>
<td>Government official at the village level</td>
<td>56</td>
<td>68</td>
<td>18</td>
<td>53</td>
<td>93</td>
<td>88</td>
<td>90</td>
<td>25</td>
</tr>
<tr>
<td>Police</td>
<td>27</td>
<td>30</td>
<td>25</td>
<td>35</td>
<td>38</td>
<td>23</td>
<td>28</td>
<td>20</td>
</tr>
<tr>
<td>Community leader</td>
<td>22</td>
<td>26</td>
<td>13</td>
<td>-</td>
<td>28</td>
<td>35</td>
<td>55</td>
<td>11</td>
</tr>
<tr>
<td>Head of RT</td>
<td>20</td>
<td>16</td>
<td>35</td>
<td>15</td>
<td>20</td>
<td>5</td>
<td>5</td>
<td>30</td>
</tr>
<tr>
<td>Legal cadre</td>
<td>5</td>
<td>7</td>
<td>5</td>
<td>3</td>
<td>10</td>
<td>13</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Head of RW</td>
<td>4</td>
<td>2</td>
<td>8</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9</td>
</tr>
<tr>
<td>Neighbors</td>
<td>4</td>
<td>2</td>
<td>-</td>
<td>10</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9</td>
</tr>
</tbody>
</table>

Base: PEKKA members; n=280
Barriers to take legal actions toward domestic violence

- **Fear / insecurity in dealing with the police**
  - There is a general feeling that domestic problems are small, so it is not necessary to report them to the police
  - Fear that police will ignore / disregard the report
  - Don’t know precisely how to report to police
  - Fear of dealing with police; worried they cannot give appropriate answers when reporting
  - Difficulty to travel from their place to the police station; requires much money and time

- **Fear of impact on children**
  - Worried about psychological impact on the children, if their father is jailed
  - Husband’s threaten children/wives

Source: ACNielsen Qualitative study
Understanding and attitude toward domestic violence (KDRT)

- Respondents are familiar with the term domestic abuse (KDRT) however there is limited understanding
- Domestic violence is generally associated with physical violence. Other forms of domestic violence such as emotional, economical or psychological violence are rarely mentioned
- The early stages of domestic violence tend to be kept internally to maintain family harmony

Even with high awareness and knowledge about domestic violence respondents are not willing to take legal action

- Even though respondents know domestic violence can be reported to the police, they tend to seek help from family or community leaders instead of reporting to the police → there is reluctance among women to report domestic violence to the police or legal institutions

There is a tendency to be more open to seek assistance when domestic violence occurs but reluctance to seek help from the police
Q22. Have you heard/aware/seen Ruang Pelayanan Khusus (RPK)?
Q23. Where is the RPK Located?
Q24. And what kind of services can you get from RPK?[MA]
Q25. Have you ever contacted the RPK?[SA]

**Awareness of RPK**

- Base: PEKKA members; n=280
- No, 87%
- Yes, 13%

**Location of RPK**

Base: PEKKA members who aware of RPK; n=36

- Police: 78
- Head of village office: 19
- Hospital: 14
- Kantor Camat: 8
- Telkom: 3
- PLN: 3
- Post office: 3
- Don't know: 3

**Incidence of dealing with RPK**

Base: PEKKA members who aware of RPK; n=36

- Yes, I had dealt with RPK: 3
- No, never: 97

**Awareness of RPK is still minimal among respondents, thus leading to the low incidence level of dealing with RPK**
### Training for police in RPK / SPK in the last 2 years

<table>
<thead>
<tr>
<th>Incident of receiving legal training</th>
<th>Facilitator</th>
<th>Number of legal training</th>
<th>Topic of legal training</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SPK Polres Cianjur</strong></td>
<td>No, never</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>RPK Polres Brebes</strong></td>
<td>No, never</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>RPK Polda Mataram</strong></td>
<td>100%</td>
<td>Police, NGO, Village staff, PEKKA</td>
<td>1</td>
</tr>
<tr>
<td><strong>SPK Polres Sukabumi</strong></td>
<td>40%</td>
<td>Police</td>
<td>1</td>
</tr>
<tr>
<td><strong>SPK Polres Pemalang</strong></td>
<td>50%</td>
<td>Police and NGO</td>
<td>5</td>
</tr>
</tbody>
</table>

**Overall there is the feeling that the legal training is useful because it directly relates to their jobs**
The Main Findings

Legal Education
Methods and materials used to give legal education by legal institutes

Method (%)

- One way lecture: 75%
- Group discussion: 69%
- Question & answer: 56%
- Seminar: 19%
- Simulation: 6%

Source of material

- Undang-Undang:
  - No 22 / 1997: Psikotropika
  - No 23 / 2002: Perlindungan Anak
  - No 23 / 2004: Kekerasan Dalam Rumah Tangga
  - No 32 / 2004: Pemilihan Kepala Daerah
  - No 1 / 1974: Perkawinan

- Inpres:
  - No 1 / 1991: Kompilasi Hukum Islam

Total (%)

- Psychotropic / narcotics: 50%
- Domestic violence: 47%
- Marriage: 34%
- Inheritance: 28%
- Child protection: 22%
- Election of head of local government: 16%

Topic in village vs non village

- Village:
  - Criminality, domestic violence, marriage, and Hukum Islam
- Non Village:
  - Criminality, drugs, and traffic

Topics

- Mainly took place in village (more than 50%)
  - except those delivered by police in Brebes, Pemalang and NTB that took place in non village

Base: key informant; n=32

Ref: Q15, 17, 19, 23, 24 PH
Experience with legal education in the past 2 years

Q31. Have you attended or received a legal education in the past 2 years (2003- current)?
Q32. Have you attended or received a legal education in the past 2 years (2003- current)?
Q33. In the past 2 years, how many times have you received legal education?

Awareness and participation of legal education is quite high among respondents in the pilot area

Conversion rate : successful rate to convert those who are aware of legal education to attend it

Base : PEKKA members; n=280
Facilitator and the topic of legal education in the last 2 years

Q34. And who conducted the legal education that you attended/received?
Q35. What topic(s) of legal education that you receive in the past 2 years?

Legal education is mainly given by PEKKA, with domestic violence as the primary topic

Who gave it? (%)

- PEKKA: 87%
- NGO: 9%
- Police: 6%
- Prosecutor: 4%
- Village staff: 4%
- Judges from the religious courthouse: 2%

What were the topics? (%)

- Domestic violence: 70%
- Marriage: 34%
- Divorce: 26%
- Incest: 17%
- Woman's right: 11%

*Likely due to socialization of the project commencing before the baseline was conducted

Base: all PEKKA members who attended Legal Education; n=132
The comparison between WLE and RLA
The comparison

<table>
<thead>
<tr>
<th>Marriage issue</th>
<th>WLE</th>
<th>RLA</th>
</tr>
</thead>
<tbody>
<tr>
<td>(right on property, right to receive child support on divorce)</td>
<td>High (more than 90%)</td>
<td>High (more than 90%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Domestic violence</th>
<th>WLE</th>
<th>RLA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ever heard of domestic violence</td>
<td>70%</td>
<td>62%</td>
</tr>
<tr>
<td>- Domestic violence is mainly regarded as physical abuse by a husband to his wife</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Respondents are more comfortable reporting domestic violence to their family, then village official</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Confident level toward fairness of domestic violence trial</th>
<th>Top 2 Box</th>
</tr>
</thead>
<tbody>
<tr>
<td>WLE</td>
<td>83%</td>
</tr>
<tr>
<td>RLA</td>
<td>61%</td>
</tr>
</tbody>
</table>
## The comparison

<table>
<thead>
<tr>
<th>WLE</th>
<th>RLA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Interaction with legal institution</strong></td>
<td></td>
</tr>
<tr>
<td>Awareness and interaction with RPK</td>
<td>Low (below 10%)</td>
</tr>
<tr>
<td><strong>Legal education</strong></td>
<td></td>
</tr>
<tr>
<td>Awareness and participation of legal education</td>
<td>High</td>
</tr>
</tbody>
</table>
Conclusion
Creating awareness of community’s rights is not sufficient to make them take action to enforce their rights

There is a need to equip them with practical knowledge on how to access legal institutions and also social support/acceptance to encourage them to enforce their rights.