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# RESEARCH ARTICLE

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## Children's Mental Health Protection Policy Amid the Covid-19 Pandemic

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### ABSTRACT

Article 28 B of the 1945 Constitution of the Republic of Indonesia affirms that children have the right to be protected from discrimination, economic and sexual exploitation, neglect, cruelty, violence, persecution, injustice and other mistreatment. This study aims to 1) Describe child protection policies in the midst of the COVID-19 pandemic, 2) Describe the children's health protection policy during the covid-19 pandemic. This was a normative legal research conducted by examining library materials or secondary data. It used the statutory approach, with a descriptive method. The policy of protecting children in the midst of the Covid-19 pandemic is based on Law Number 35 of 2014 concerning Child Protection which includes not only protection of the child's body and soul, but also spiritually, physically and socially. However, at the level of implementation, the government is more focused on protecting children from Covid-19 cases and has not been optimal in helping children face the burden of mental health during the Covid-19 pandemic. Therefore, the government needs to deal with mental health issues for children and adolescents during the pandemic by making regulations that focus on the direction of each policy towards the realization of a society that cares about mental health.

**Keywords:** policy; child mental health; covid-19

### INTRODUCTION

#### Background

The case of the spread of the Covid-19 pandemic, which began to be heard from the Wuhan area, became the beginning of the spread of concern throughout the world over the spread of Covid-19. Various cases around the world are in the spotlight of various countries, including Indonesia.<sup>(1)</sup> The impact that is most felt is the shifting of human activities that were originally in the public sphere to work from home. This is a consequence of implementing the government's appeal to work from home, study from home and worship at home. As a result, internet usage is increasing in real estate, residential and residential areas.<sup>(2)</sup> Naturally, if there is a drastic use of the internet, technology was created to facilitate all human activities. The various types of technology are countless and must always be found in this era. One example of a very popular technology is accessing the internet network with various tools such as gadgets, laptops and so on.<sup>(3)</sup> Internet users in Indonesia from year to year are increasing. Data obtained from Internet World Statistics shows that the number of internet users in Indonesia in 2016 has reached 132 million people and is the third largest in Asia after China and India. Meanwhile, according to a survey from We Are Social, data on internet users in Indonesia in January 2016 reached 88.1 million with 79 million of them being active social media users, 15% of them were active Facebook users and almost 50% users are teenagers aged 13-29 years.<sup>(4)</sup> Olisias stated that in 2018 internet users in Indonesia experienced an increase to 140 million internet users and there are at least 28 million Indonesians who are very active in conducting online transactions.<sup>(5)</sup>

The trend of internet use during the Covid-19 pandemic is currently increasing drastically, as previously stated, there has been a change or shift in the configuration of internet usage or usage. Previously, the configuration of internet usage was in the office, campuses, schools and public places. However, currently the configuration of internet use is shifting to housing, residences, and settlements are switching to online.

The world facing the Covid-19 pandemic not only gave a global health emergency alarm, but also caused many sectors to be hampered.<sup>(6)</sup> Based on data released by the Ministry of Health of the Republic of Indonesia, as of this writing on April 2, 2021, it is confirmed that there are 1,510,000 positive cases of Covid-19 in Indonesia.<sup>(7)</sup> As a result, all sectors are affected, although the impact is uneven across the system. The micro impact of covid-19 in terms of the family environment, stress and uncertainty caused by the Corona Virus pandemic has had a bad impact on parents. This condition occurred in line with the physical and psychological burdens their children began to feel due to the situation during the Corona Virus pandemic.<sup>(8)</sup> About 50 percent of parents worry that they can't pay their bills and 55% worry that they will run out of money. In addition, about 52% of parents admit that financial problems have been a barrier in raising their children during the pandemic, while 50% of parents attribute it to social isolation. The frequency of yelling, yelling and screaming at children is quite high, with four in 10 parents saying they have done this several times or often in the past two weeks. When asked if the behavior was an improvement over their usual behavior, 19% said they were screaming or screaming more often, and 15% said they had increased their child's punishment since the pandemic began.<sup>(9)</sup>

Legal protection for children against internet access during the COVID-19 pandemic is a problem that needs attention. This is because the rapid development of technology has the potential to make it difficult for people, especially children, to distinguish the real virtual world.<sup>(10)</sup> If it does not get special attention, it is not surprising that the impact of internet use such as the spread of pornography and uncontrolled use of social media will gradually have an impact on children's mental health. With regard to morals, at this time we have entered a new era, namely the era of globalization and modernization, with the passage of this new era there have actually been changes in society both in economic, social and cultural terms. These changes are caused by the process of globalization as an unavoidable effect of the development of information technology, so that it can damage a person's morale, especially children who have not been able to filter the correct information.<sup>(11)</sup> Anxiety and worry in the midst of the Covid-19 pandemic has hit almost all humans as a result of conditions that do not know when it will end.<sup>(12)</sup> Groups that are vulnerable to psychological stress in the global coronavirus pandemic are children, the elderly, and medical workers.<sup>(13)</sup> Indonesia through the Ministry of Social Affairs shows that child violence in the midst of the COVID-19 pandemic experienced a drastic increasing trend in June 2020, there were 3,555 cases increasing to 4,928 cases in July 2020.<sup>(14)</sup> This is part of the complaint case report from the Indonesian Child Protection Commission (KPAI) in the last 5 (five) years 2016 - 2020 with the number of victims of child rights violations reaching 24,650 people with the highest presentation in 2020.<sup>(15)</sup>

Based on the description above and to prevent children from becoming victims of acts of violence and to ensure that children's mental health is maintained, in addition to the need for intervention from government protection programs, what is also important is how to revitalize the role of parents and other socio-religious institutions. This is specifically during the Covid-19 pandemic as a program that aims to prevent acts of domestic violence both psychologically, physically and sexually.

## METHODS

The focus of this study was to describe the policy of protecting children's mental health in the midst of the Covid-19 pandemic. The approach taken was a philosophical juridical approach that uses secondary data as the main data source. The method of data collection was carried out by standard research methods, namely by literature studies in accordance with research problems by taking an inventory of various main and supporting library materials related to the focus of the problem with the aim of obtaining a general and relatively comprehensive picture of what was included in the focus of the current problem. researched, namely a portrait of government policies in an effort to protect children's mental health in the midst of the COVID-19 pandemic.

## RESULTS

Indonesia in its legal system needs to be directed to accommodate the protection of the interests and rights of children. Children are also human and therefore respecting children's rights is the same as respecting human rights. Smith even confirmed that perfectly, all international human rights instruments are at the "heart" of human rights. Unfortunately, the facts still show that children are part of a group that is vulnerable to violence. Every child has human rights, just like the rights of adults, not many think and want to take concrete steps to protect children's rights. Children are immature individuals, both physically and mentally, let alone socially.<sup>(16)</sup> In the Indonesian constitution, children have a strategic role which is explicitly stated that the state guarantees the rights of every child to survival, growth, and development as well as protection from violence

and discrimination. Therefore, the best interests of children should be lived as the best interests for the survival of mankind.<sup>(17)</sup>

Developments in the field of information, communication and technology through the internet at this time are very fast and have an impact on almost all aspects of life in society. One of the positive impacts of this very fast development is the change in community interaction that becomes borderless or better known as the borderless world.<sup>(18)</sup>

The President of the Republic of Indonesia together with the House of Representatives of the Republic of Indonesia ratified Law Number 23 of 2003 concerning Child Protection (UUPA). This law as a whole guarantees, respects, and protects children's rights. Article 15 of Law Number 23 of 2002 concerning Child Protection states that 1). Every child has the right to be protected from targets of abuse, torture or inhumane punishment; 2). Arrest, detention or imprisonment of a child is only carried out if it is in accordance with applicable law and can only be carried out as a last resort; 4). Obtaining humane treatment and being placed separated from adults, obtaining fictitious legal or other assistance in every stage of the applicable legal remedy, defending oneself and obtaining justice before an objective and impartial juvenile court and in a closed session for the public. This is in accordance with Lawrence Friedman's view that for successful law enforcement to pay attention to legal substance (legal substance), legal structure (legal structure), legal culture (legal culture) and legal impact (legal impact).<sup>(19)</sup>

The government through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection has mandated the Indonesian Child Protection Commission (KPAI) to receive public complaints regarding violations of children's rights. KPAI is a mandate of the Child Protection Law with the aim of increasing the effectiveness of child protection. KPAI is a state institution mandated by law to supervise and supervise the implementation of child protection.<sup>(20)</sup> KPAI has played a role in reviewing, monitoring, evaluating and supervising forms of violations involving children.<sup>(21)</sup> Data entered into the KPAI complaint system as of August 31, 2020 there were a total of 4,734 complaints cases from the previous year's 4,369 complaints in 2019 with the following details:

Table 1. Cluster-based complaints of children

Complaint cluster	Frequency
Children and society in an emergency condition	291
Religion and culture	193
Health and drugs	344
Pornography and cybercrime	653
Trafficking and exploitation	244
Families and alternative parenting	896
Civil and participation rights	108
Education	321
Child in the face of law	1251
Other child protection cases	88
Total	4,369

Based on the graph above, in 2020 there has been a decline in cases for certain clusters such as the religious, social, health, civil rights, cyber and trafficking clusters. However, on the contrary, there has been an increase in cases of complaints in the family and education clusters. The government's policy to reduce social activities during the pandemic has a major impact on the emergence of community pressure/stress. The order to stay at home is based on Government Regulation Number 21 of 2020 concerning Large-Scale Social Restrictions in the Context of Accelerating the Handling of Corona Virus Disease 2019 (Covid-19).

The world is in a state of the coronavirus outbreak (Covid – 19) which has undermined all lines of life including education because its impact is on the same scale as World War II. According to The United Nations Educational, Scientific and Cultural Organization (UNESCO) more than 91% of the world's student population has been affected by school closures due to the Coronavirus Disease (Covid-19) pandemic. This reality shows that the condition of the community is feeling anxious so the government urges the government to start activities at home, such as working at home and studying at home.

Children in the midst of the covid-19 pandemic are very dependent on their families because only families are able to influence the formation and regulation of children's morals in all aspects and conditions, including in the current situation in the midst of the covid-19 pandemic which demands a change in children's interactions from previously at school, it became learning at home using internet access (e-learning) so that children spent more time on it. Based on data obtained today, internet users in Indonesia are around 80-100 million. Internet users aged 15-40 years reached 68%. While under 15 years as many as 10 percent and the rest are users aged 40 years and over.<sup>(22)</sup>

## DISCUSSION

The World Health Organization regarding mental health states that working or studying from home, reducing physical contact with family and friends requires a long adjustment period. Adapting to these changes while managing the fear of being infected with the virus, both yourself and loved ones as well as sadness due to being abandoned by family/friends due to Covid-19 can interfere with mental health.<sup>(23)</sup> In a study, the fact that the Covid-19 pandemic affected the mental health of students. They face the unique challenges that lead to poor mental health following the Covid-19 outbreak or more diagnosed mental disorders worldwide.<sup>(24)</sup> Covid-19 has and will continue to negatively impact the happiness function of countless individuals in the form of anxiety, grief and trauma. This effect is likely to grow as more loved ones and friends become infected and even die,<sup>(25)</sup> including for children. In this context, it is critical to provide additional support to reduce sources of stress for caregivers and protect children from threats to their safety.<sup>(26)</sup>

Post-traumatic disorders, anxiety, and depression occur during and after a pandemic. Some groups, such as children, are more vulnerable to long-term consequences in mental health. Children respond to stress in different ways - different, depending on their developmental stage, high levels of anxiety, depression, and post-traumatic symptoms.<sup>(27)</sup> Another major threat is an increased risk of parental mental illness, domestic violence and child abuse. Especially for children and youth with special needs or underprivileged, such as disabilities, traumatic experiences, pre-existing mental health problems and low socioeconomic status, this can be very challenging. Maintaining regular and emergency psychiatric care for children and adolescents during the pandemic is a major challenge but necessary to limit the long-term consequences for the mental health of children and adolescents.<sup>(28)</sup> In addition, that one of the impacts of the pandemic on children and adolescents is the social restrictions implemented by the government to prevent the potential transmission of the Covid-19 virus. This social restriction creates excessive fear in children and adolescents because of the large amount of information they receive about this pandemic. It is undeniable that this pandemic has also had an impact on the psychosocial aspects of children and adolescents, including feeling bored because they have to stay at home, worrying about missing lessons, feeling insecure, feeling afraid of getting sick, missing friends, and worrying about income. parents. The most dangerous impact is that as many as 62% of children experience verbal violence by their parents while at home.<sup>(29)</sup>

During a pandemic, due to lack of social control and impaired ability to communicate, children are at risk of mental health.<sup>(30)</sup> Children have experienced adverse events both before and during the pandemic, so they are willing to accept the consequences of the Covid-19 pandemic. Adverse childhood experiences are associated with a higher risk for mental health problems.<sup>(31)</sup> Most mental disorders require regular psychotherapy and psychiatric treatment. Therefore, lack of access to health services can be very detrimental to children. The severity and state of mental disorders can worsen due to delays in early diagnosis and prompt treatment. Caring for children with mental health problems, particularly externalizing disorders, can be challenging and add to the hardships of parents during a pandemic.<sup>(32)</sup>

The government has an important role in helping the community, parents and children to understand whether they are psychologically affected. General symptoms such as decreased enthusiasm for carrying out activities, irritability, and rapid loss of concentration should still be considered if they occur for a prolonged period. The responsibility of protecting children including protecting their mental health is the responsibility of all parties (government, community, and family). The family is the first and foremost party who is fully responsible for the protection of children.<sup>(33)</sup> The concept of child protection covers a broad scope, in the sense that child protection is not only about protecting the child's body and soul, but also spiritually, physically and socially so that it is hoped that Indonesian children who will later develop into people who are willing and able to work for later will achieve and maintain the formation of national development. Thus, it is clear that child protection is also related to aspects of fostering the younger generation and national problems that require structuring in an integrated and well-coordinated system.<sup>(34)</sup> The government's effort through the Ministry of Health in dealing with mental health issues for children and adolescents during the pandemic is to make regulations that focus on the direction of each policy on the realization of a society that cares about mental health. The presence of the child mental health protection policy has an important position by paying attention to the stages of policy formulation, starting from the formulation of the problem which is the stage to identify and formulate the problem as the most fundamental step in policy formulation.<sup>(35)</sup>

## CONCLUSION

The policy of protecting children in the midst of the Covid-19 pandemic is based on Law Number 35 of 2014 concerning Child Protection which emphasizes that children have a strategic role and it is expressly stated that the state guarantees the rights of every child to survival, growth, and development as well as protection. from violence and discrimination. Save and protect children not only from Covid-19 cases but also to help them face the mental health burden during the Covid-19 pandemic. The policies issued by the government during the

COVID-19 pandemic have had a negative impact on children's mental health, especially social restrictions that increase activities at home. Therefore, the government needs to deal with mental health issues for children and adolescents during the pandemic by making regulations that focus on the direction of each policy towards the realization of a society that cares about mental health.

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