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Child Protection System
Governance Indicators Framework (GIF):

Assessment for Indonesia

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ACKNOWLEDGEMENTS

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ACRONYMS AND ABBREVIATIONS

A4DES   Aid for Development Effectiveness Secretariat

ABH   *Anak Berhadapan dengan Hukum*
Children in Conflict with the Law

ABT   *Anggaran Belanja Tambahan*
Expenditure budget supplements

AFS   *Aplikasi Forecasting Satker*
Application Forecasting Working Group

AIDS   Acquired Immunodeficiency Syndrome

BAPAS   *Balai Pemasyarakatan*
Juvenile Correction Facility

Bappenas   *Badan Perencanaan Pembangunan Nasional*
National Development Planning Agency

BBM   *Bahan Bakar Minyak*
"Fuel Subsidy" / The Government Subsidy Program for
Additional Food Costs for Social Care Institutions

Biro PP   Sub-national offices of the Ministry of Women and Child Protection

BKN   *Badan Kepegawaian Negara*
Government Employee Administration Agency

BLUs   *Badan Layanan Umum*
Public service bodies

BNPB   *Badan Nasional Penanggulangan Bencana*
National Disaster Management Agency

BNP2TKI   *Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia*
National Board for the Placement and Protection of Indonesian
Overseas Workers

BNPP   *Badan Nasional Pengelolaan Perbatasan*
National Border Management Agency

BP3AKB   *Badan/Biro Pemberdayaan Perempuan dan Perlindungan Anak
dan Keluarga Berencana*
Women Empowerment, Child Protection and Family Planning Bureau

BPK   *Badan Pemeriksa Keuangan*
State Audit Agency

BPS   *Badan Pusat Statistik*
Indonesia's Bureau of Statistics

BPSW	Building Professional Social Work
CCT	Conditional Cash Transfer
CCTV	Closed-Circuit television
CDC	Centers for Disease Control and Prevention
CDE	Consortium for Disaster Education
CEDAW	Committee on the Elimination of Discrimination against Women
CGI	Consultative Group of Indonesia
CIDA	Canadian International Development Agency
COFOG	Classification of the Functions of Government
CP	Child Protection
CRC	Convention on the Rights of the Child
CSI	Civil Society Index
DAK	*Dana Alokasi Khusus* Special Allocation Fund
DAU	*Dana Alokasi Umum* General Allocation Fund
DBH	*Dana Bagi Hasil* Revenue Sharing Fund
KEMENSOS/ KEMSOS	*Kementerian Sosial (dahulu - Departemen Sosial)* Ministry of Social Affairs of the Republic of Indonesia (formerly – Social Department)
DHS	Demographic Household Survey
DIPA	*Daftar Isian Pelaksanaan Anggaran* Spending Warrant / Budget Allotment Document
DNIKS	*Dewan National Indonesia Untuk Kesejahteraan Sosial* Social The Indonesian National Council on Social Welfare
DPD	*Dewan Perwakilan Daerah* Regional Representative Council
DPE	Development Performance Evaluation
DPOD	*Dewan Pertimbangan Otonomi Daerah* Regional Autonomy Advisory Council
DPR	*Dewan Perwakilan Rakyat* People's Representative Council

DRR	Disaster Risk Reduction
DSF	Decentralisation Support Facility
EAP	East Asia and Pacific
EAPRO	Regional Office for East Asia and the Pacific
EU	European Unions
FGD	Focus Group Discussion
FGM/C	Female genital mutilation/cutting
FITRA	*Forum Indonesia untuk Transparansi Anggaran* Indonesian Forum for Budget Transparency
GDP	Gross Domestic Product
GFS	Government Finance Statistics
GHWA	Global Health Workforce Alliance
GIF	Governance Indicator Framework
GNI	Gross National Income
GoI	Government of Indonesia
GRDP	Gross Regional Domestic Product
GTZ	*Gesellschaft für Technische Zusammenarbeit* German Organisation for Technial Cooperation
HIPSI	*Himpunan Pekerja Sosial Indonesia* Indonesian Association of Social Workers
HIV	Human Immunodeficiency Virus
HLF4	Fourth High Level Forum on Aid Effectiveness
HR	Human Resources
IASSW	International Association of Schools of Social Work
IDMC	Internal Displacement Monitoring Centre
IDP	Internally Displaced Person
IDR	Indonesian Rupiah
IEC	Information, Education, Communication
IGGI	Inter-Governmental Group of Indonesia
ILO	International Labour Organization
IMF	International Monetary Fund

INFID	International NGO Forum on Indonesian Development
InMen	*Instruksi Menteri* Ministerial Instruction
InPres	*Instruksi Presiden* Presidential Instruction
IPEC	International Programme on the Elimination of Child Labour
IPPSI	*Ikatan Pendidikan Pekerjaan Sosial Indonesia* Indonesian Association for Social Work Education
IPSPI	*Ikatan Pekerja Sosial Professional Indonesia* Indonesian Association of Social Workers
IT	Information Technology
JARAK	*Jaringan Lembaga Swadaya Masyarakat Penanggulangan Pekerja Anak* Child Labour NGO Network
KAT	*Komunitas Adat Terpencil* Remote Indigenous Communities
KepMen	*Keputusan Menteri* Ministerial Decree
KepMPR	*Ketetapan Majelis Permusyawaratan Rakyat* People's Consultative Assembly Circular
KepPres	*Keputusan Presiden* Presidential Decree
KHPPIA	*Kelangsungan Hidup, Perkembangan, Perlindungan Ibu dan Anak* Survival, Pevelopment and Protection of mother and children
Komnas HAM	*Komisi Nasional Hak Asasi Manusia* Indonesian National Human Rights Commission
KPAI	*Komisi Perlindungan Anak Indonesia* Indonesian Commission for the Protection of Children
KPPA	*Kementerian Pemberdayaan Perempuan dan Perlindungan Anak (dahulu - Kemmeneg PP)* Ministry of Women Empowerment and child Protection (formely – Ministry of Women Empowerment)
KPPN	*Kantor Pelayanan Perbendaharaan Negara* State Treasury Office
LAN	*Lembaga Administrasi Negara* Indonesia's Public Administration Institute

Lapas	*Lembaga Pemasyarakatan* Regular Prisons
LGU	Local Government Unit
M&E	Monitoring & Evaluation
MA	*Mahkamah Agung* Supreme Court
MDAs	Ministries, departments and agencies
MDGs	Millennium Development Goals
Menkokesra	*Kementarian Koordinator Bidang Kesejahteraan Rakyat* Coordinating Ministry for People's Welfare
MICs	Multiple Indicator Cluster Survey
MIS	Management Information System
MoF	Ministry of Finance
MoH	Ministry of Health
MOHA	Ministry of Home Affairs
MoMT	Ministry of Manpower and Transmigration
MoSA	Ministry of Social Affairs
MoWECP	Ministry of Women Empowerment and Child Protection
MP	Member of Parliament
MPR	People's Consultative Assembly
MRM	Monitoring and Reporting Mechanism
MTBF	Medium-Term Budget Framework
MTFF	Medium-Term Fiscal Policy Framework
MTMF	Medium-Term Macro-Economic Framework
NAC	National Action Committee
NAP	National Action Plan
NGO	Non-Governmental Organization
NTT	Nusa Tenggara Timur East Nusa Tenggara
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development

OSR	Own Source Revenues
PBB	Performance Based Budgeting
PBO	ParliamentaryBudget Office
PEFA	Public Expenditure and Financial Accountability
Perda Kabupaten / Kota	*Peraturan Daerah Kabupatan / Kota* District / City Regulations
Perda Provinsi	*Peraturan Daerah Provinsi* Provincial Regulations
PerDirJen	*Peraturan Direktur Jenderal* Regulations of Director General
PerMen	*Peraturan Menteri* Ministerial Regulations
PERMENSOS	*Peraturan Menteri Sosial* The Ministry of Social Affairs Decree
PerPPU	*Peraturan Pemerintahan Pengganti Undang-Undang* Government Regulation in Lieu of Law
PerPres	*Peraturan Presiden* Presidential Regulation
PFM	Public Financial Management
PKH	*Program Keluarga Harapan* Family Hope Program
PKS	*Penanganan Konflik Sosial* Law on Managing Social Conflict
PKSA	*Program Kesejahteraan Sosial Anak* Social welfare programme for children
PKT	*Pusat Krisis Terpadu* Integrated Crisis Centres
Planas PRB	National Platform for Disaster Risk Reduction
PNBAI	*Program Nasional Bagi Anak Indonesia* National Programme for Indonesian Children
POLRI	*Kepolisian Negara Republik Indonesia* Police of the Republic of Indonesia
PP	*Peraturan Pemerintah* Government Regulation

PPA	*Pelayanan Perempuan dan Anak* Specialized police units for women and children
PPTs	*Pusat Pelayanan Terpadu* Integrated service centres
PR	Public Relations
PTAs	Parent-Teacher Associations
PTT	*Pegawai Tidak Tetap* Contracted staff
PUSKA PA UI	*Pusat Kajian Perlindungan Anak - Universitas Indonesia* Center on Child Protection - University of Indonesia
Renas PB	*Rencana Nasional Penanggulangan Bencana* National Disaster Management Plan
RPJP	*Rencana Pembangunan Jangka Panjang* Long-Term Development Plan
RKA-SKPDs	*Rencana Kerja dan Anggaran Satuan Kerja Perangkat Daerah* Work plans and budgets of local service agencies
RKPD	*Rencana Kerja Perangkat Daerah* Regional Work Plan
RPJMN	*Rencana Pembangunan Jangka Menengah Nasional* National Medium-Term Development Plan
RPJPN	*Rencana Pembangunan Jangka Panjang Nasional* National Long-Term Development Plan
SAI	*Sistem Akuntansi Instansi* National Accounting System
SIKD	*Sistem Informasi Keuangan Daerah* Sub-national Financial Information System
SJSN	*Sistem Jaminan Sosial National* National Social Security System
SKB Menteri	*Surat Keputusan Bersama Menteri* Joint Ministerial Letter
SMART	Specific, Measurable, Attainable, Relevant and Time-Bound
SME	Small and Medium Enterprise
SPAN	*Sistem Perbendaharaan dan Anggaran Negara* Financial Management Information System
SPM	*Standar Pelayanan Minimum* Minimum Service Standards

SPP	*Standard Pelayanan Publik*
	Public Service Standards
STD	Sexually Transmitted Diseases
STKS	*Sekolah Tinggi Kesejahteraan Sosial*
	School of Social Welfare
TOT	Training of Trainers
TSA	Treasury Single Account
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UNHRC	United Nations Human Rights Council
UNICEF	The United Nations Children's Fund
UNISDR	United Nations International Strategy for Disaster Reduction
UPPA	*Unit Pelayanan Perempuan dan Anak*
	Women and Children Service Units
USAID	United States Agency for International Development
USD	United States Dollar
UU	*Undang-Undang*
	Laws
UUD	*Undang-Undang Dasar*
	Constitution
WEO	World Economic Outlook
WFC	World Fit for the Child
WFCL	Worst Forms of Child Labour
WH	*Wilayatul Hisbah*
	Sharia Police
WHO	World Health Organization
YKAI	*Yayasan Kesejahteraan Anak Indonesia*
	Indonesia Child Welfare Foundation

SUMMARY OF **FINDINGS**

	PREDICTIVE LEARNING	NAVIGATIONAL LEADERSHIP	STRATEGIC ANTICIPATION	AGILITY	RESILIENCE	OPEN COLLABORATION
POLICY PROCESS	1.1. Clarity and Consistency of CP Priorities	1.2. Coherent Specification of Key CP Concepts	1.3. Preparedness to Volatile Environment	1.4. Policy Coordination Structures	1.5. Policy Monitoring & Evaluation	1.6. Synergies Across Sectors
PUBLIC FINANCIAL MANAGEMENT	2.1. Multi-year Budgeting Based on Realistic Costing	2.2. Transparency & Credibility of Budget Allocation	2.3. Spending Flexibility	2.4. Neutrality of Financial Incentives	2.5. Value for Money	2.6. Effective Structures for Decentralised Funding
HUMAN RESOURCE MANAGEMENT	3.1. Standards for CP Professionals	3.2. Personel Accounting & Payroll Control	3.3. Continuity Across Electoral Cycles	3.4. Training to Maintain Up-to Date Expertise	3.5. Performance Evaluation	3.6. Attracting & Retaining Qualified Staff
INFORMATION MANAGEMENT	4.1. Use of Evidence in Policy Process	4.2. Quality of CP Databases	4.3. Responsiveness to Changing Policy Demands	4.4. Data Consolidation Exchange	4.5. Links Between Data Users and Producers	4.6. Links to National CP Research Agenda
QUALITY ASSURANCE	5.1. Quality Guidance and Standards	5.2. Credibility & Regularity of Inspections	5.3. Encouragement of Innovation	5.4. Effective Gate-Keeping and Referrals	5.5. Enforcement & Follow-Up	5.6. Integration with Communities
PUBLIC COMM. AND INFLUENCING	6.1. Clarity of CP Communication Strategy	6.2. Availability of Evidence on Values & Attitudes	6.3. Alertness to Changing Risks	6.4. Interactive Engagement with Key Audiences	6.5. Building on Existing Positive Values	6.6. Involvement of Opinion Leaders into Behaviour Change Agenda

Four Criteria for Each Indicator	Assessment: "Was the Benchmark Achieved?"
Benchmark 1	• "Yes" = 1
Benchmark 1	• "Yes, restricted" = 0.75
Benchmark 1	• "No, extended" = 0.25
Benchmark 1	• "No" = 0

Total Points Received for Each indicator	Resulting Score	Color-Blind Version
(3-4)	SCORE A	SCORE A
(2-3)	SCORE B	SCORE B
(1-2)	SCORE C	SCORE C
(0-1)	SCORE D	SCORE D

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KEY STRENGTHS AND WEAKNESSES

Indonesia's child protection system is developing in a highly turbulent context, including the still developing institutional structures for protection of human rights, natural and social emergencies, and the need to deliver policies in a newly decentralised setting. Even though none of the current system functions is yet operating at the highest gear (and no "A" score seemed yet well deserved by any of the governance indicators), some dimensions have already developed significant strength and promising models for the future.

Strong Dimensions:

- **Predictive learning.** Child protection system governance in Indonesia is relatively strong in its capacity for "predictive learning" – setting and updating goals based on evidence. In almost all governance domains – policy process, PFM, HRM, Information Management, Quality Assurance – the Government made good progress in formulating its visions, priorities and standards

- **Resilience.** The system also started to develop resilience – using various resources based on positive analysis of past experience and constructive evaluation. The Government has introduced major changes into the monitoring and evaluation systems, setting up web-based and publicly accessible reporting mechanisms for the line ministries feeding into planning and budgeting work led by the Bappenas (although more effort is still needed for the new mechanism to cover all ministries and local governments). There is a strict and regular process for evaluating performance of civil servants engaged in child protection (less so – for contracted workers and paraprofessionals). A conceptual system of quality audit was developed for service providers within the 2011 Alternative Care Standards (consistent application of this system would be the next objective). Importantly, communication agenda in child protection also contains initial ideas on how to link behaviour change to current positive views on children, society, and human rights. Strategic anticipation. While much work is still ahead, current approaches and mechanisms in child protection help the Government to ensure relatively good preparedness to unpredictable events and environmental volatilities. There are sufficient legal foundations to use existing data collection capacities flexibly to raise more evidence where necessary for policy purposes – both through the Bureau of Statistics (BPS) and the line ministries (even if these possibilities are not always utilised in full). First mechanisms were put in place to foster innovation: Indonesian PKSA initiative (Program Kesejahteraan Sosial Anak or "Social welfare programme for children") is one of the most advanced examples regionally of how cash transfers could be used to promote innovative solutions in protecting vulnerable children. Finally, systems for prevention and recovery of natural and social crises have been strengthened, including the introduction of the framework Law on Disaster Management and a range of respective plans and strategies; including a sub-strategy for women and children.

Weaker Dimensions:

- **Open collaboration.** First, as of now, child protection in Indonesia is generally constrained by the significant complexity of public administration systems, which often makes it challenging for the partners to build open and constructive collaboration. Secondly, a particular difficulty for Indonesia is the need to build partnerships in a highly decentralised and complex multi-layer child protection system. The two biggest difficulties related to decentralisation are, first of all, the low policy-making and administrative capacity at sub-national levels and, secondly, the need for comprehensive coordination of resulting initiatives and activities to ensure that policies of national scale are implemented consistently throughout the country. In relation to child protection, this resulted in several risks and bottlenecks for effective nation-wide policy process, such as inconsistencies across sub-national regulations and between sub-national and national regulations, lack of clarity on legal standing of central level policy imperatives versus local regulations, leading to situations where absence of local by-laws is perceived as an alleged barrier in implementing national policies, gaps and delays in the issuance of implementing regulations, jeopardising consistent delivery of policy imperatives across tiers of government. Indonesia also suffers from considerable horizontal inequalities resulting from weak rules for transfer allocation as well as weak financial controls.

- **Agility.** Agile institutional structures are needed to ensure that child protection programmes could swiftly respond to the contextual needs. This has been difficult for Indonesia so far. A significant barrier in this area is the need to function through problematic decentralised arrangements. However, the current budgeting arrangements sometimes encumber service provision with harmful rigidities. A particularly worrying example is Indonesia's earmarked subsidy which is allocated to large residential child care institutions on per client basis. The Government Subsidy Program for Additional Food Costs for Social Care Institutions *(BBM)* is calculated on per client basis, allocated in highly opaque way and mostly to institutions which managed to recruit a certain minimum of children. This financial incentive is one of the key factors behind proliferation of residential institutions in Indonesia in the last years and, at the same time, a strong barrier to any efforts for deinstitutionalisation.

- **Navigational leadership.** The concept of navigational leadership is based on the ability of lead players to inspire confidence across the entire system in being ready to move into uncertain future. To a significant extent, this capacity depends on whether the system is sufficiently transparent, accountable and visible to the participants at all levels, ensuring their support to policy decisions and active participation in the implementation. In Indonesia, reforms to increase budget transparency and accountability have significantly improved predictability of budget allocations, and generally, the system of financial accounting in Indonesia is described as highly accurate). However, there are still challenges related to control of expenditure commitments (resulting in disruptions of funding flows and cash disbursement); personnel accounting systems (which are limited to central level central service staff); quality of data

(resulting from utilisation of unstandardised definitions and templates, as well as overlapping data collection responsibilities). Additionally, while Indonesia has introduced Alternative Child Care standards in 2011, which require annual inspections of service providers by Social Affairs Officers and re-application for permits once in five years, it is not clear whether the inspections are comprehensive and regular.

1. Policy Process

Current Progress

- Indonesia is one of the regional champions in ratifying international treaties related to child safety. Political commitment to protection of human rights in general has been at the heart of the post-1998 democratic reformation agenda. As of 2014, Indonesia joined 62% of the treaties which protect children against torture, cruel treatment, trafficking and exploitation. They also cover obligations to reduce protection risks related to key vulnerabilities such as racial discrimination, disability, or migration.

- During the last decade, Indonesia has made remarkable progress in developing strategic legislation for Child Protection. In addition to Constitutional amendments which significantly strengthened legal basis for protection of human rights, the Government reflected its new vision of a protective environment for Indonesian children in a Child Protection framework law, a range of specific laws for relevant sectors, and, importantly, the country's long- and medium-term development planning documents – the National Long-Term Development Plan (RPJPN 2005-2025) and the National Medium-Term Development Plan (RPJMN 2010-2014).

- Planning cycle for the child protection is supported by an elaborate and constantly improving mechanism for monitoring and evaluation of the results, led by the Bappenas. It involves progress evaluation against quantitative indicator frameworks contained within the RPJMN and respective annual plans and provides line ministries with traffic-light scoring as feedback.

- The Government has established a range of coordination structures for child protection, especially for linking policies to the civil society and donors. Child protection is overseen by the high-level Indonesian Commission for Child Protection (Komisi Perlindungan Anak Indonesia, KPAI); in addition, working-level coordination across ministries is orchestrated through the Ministry of Women Empowerment and Child Protection (MoWECP), the National Task Force on Child Protection led by the Ministry of National Development Planning (Bappenas), and a range of issue-focused inter-agency committees (such as, for example, the National Action Committee for the Elimination of the Worst Forms of Child Labour). There are also at least four channels for the NGOs to participate in the policy process (including formal participation in the KPAI).

Open Challenges:

- Now that the coordination structures for Child Protection are largely established, the remaining challenge is to bring in a stronger and more proactive lead to ensure whole-of-government policy process. The remit of the high-level Commission for Child Protection (KPAI) is currentlyratherwide and generic; and its formal functions are not always matched with practical implementation tools (in terms of, for example, access to data, authority to conduct investigations and follow up etc). Working-level coordination across ministries and agencies (including through the Ministry of Women Empowerment and Child Protection, MoWECP) often remainsissue-based and mostly focused on the individual sector programmes and priorities. Moreover, effective horizontal coordination for child protection so far struggled to match policy decisions with sufficient legislative and executive mandate to enforce it in practice. Generally, official coordination structures proved to be less effective for Indonesia than informal contacts and agreements in neutral settings which help to avoid institutional turf battles.

  Recommendation: The National Task Force on Child Protection led by the Bappenas could be a viable platform for the participating actors to develop a practical model for influencing policy processes under the remits of the respective agencies to ensure that cross-sector decisions are followed-through. As shown by previous experience, working-level mechanisms may have a stronger impact compared to additional official structures, but it would have to rely on a joint agreement on roles and responsibilities, and a well-defined action plan. The Task Force might also require specific capacity building to develop such a working-level terms of reference and plan, as well as for implementing it at the level of individual agencies (for example, in terms of communicating inter-agency decisions to senior management and advocating them with due evidence and argument).

- Weakness of dialogue beyond sector priorities makes it difficult for the government to establish ex-ante policy agreement on challenging aspects of child protection reforms. Existing tools to orchestrate consensus (special policy harmonisation units in the ministries; coordinating ministries; legislative reviews and revisions) do not ensure that conflicting agendas are coordinated before laws are approved. As a result, gaps and inconsistencies remain within the key child protection definitions; data collection templates; research and public communication agendas.

  Recommendation: Coordination activities should specifically include consultations on cross-cutting and conflicting policy areas. Specific preparatory work is needed for mapping stakeholder positions on such agendas and on involving in-house and non-state experts in supplying data and analysis to support technical discussion.

- Indonesia delivers child protection through a bravely decentralised governance system, but it is difficult for the government to fulfil the potential of decentralisation because inter-governmental arrangements are still vague and

policy function at the central level is fragmented and not always sufficiently active. Division of responsibilities across government tiers is not entirely clear, which leads to inconsistencies in child protection priorities and regulations, proliferation of conflicting decisions and obstructs consistent policy delivery (including, for example, data collection and exchange).

Recommendation: The Task Force and the MoWECP require a clear, technically sound position regarding the changes that need to take place in intergovernmental regulations in order for the decentralised system to become suitable for effective child protection. This position should cover issues which transcend child protection as such but which have profound impact on sub-national capacities to protect children (such as horizontal fiscal equalisation mechanism and the division of responsibilities across government tiers). Preparing such position would require specific technical support. It could then be used in a targeted way to influence the national dialogue on decentralisation reforms.

- Child protection is not yet visibly mainstreamed into programs and policies in social protection, health and education. Current social protection measures have weak impact on child protection objectives, direct or indirect. All current social protection programmes are household-based, do not cover core risks, such as sudden or temporary loss of job, disability, and do not include automatic triggers for rapid responses for shocks and emergencies. One promising pilot initiative (PKSA initiative (*Program Kesejahteraan Sosial Anak* or "Social welfare programme for children") is a CCT which directly targets vulnerable children and is allocated through an innovative mechanism involving professional social workers; however, the coverage and reach out of this program is still rather narrow. Health and Education sectors acknowledge child protection as a principle, but no tools were developed to incorporate respective duties into frontline service provision.

Recommendation: Positive experience of the PKSA deserves to be well documented and promoted both within Indonesia for the benefit of future roll-out and internationally for the purposes of regional experience sharing.

2. Public Financial Management

Current Progress

- The Government has implemented massive reforms to increase transparency and accountability of the budget. This was done through introduction of complex budget preparation rules and expenditure controls. A newly introduced Financial Management Information System (SPAN) helps the Government to control commitments for all payments at the level of each spending agency. In particular, accurate linking of the payroll expenditures to human resource accounting under the oversight of the Government Employee Administration Agency (Badan Kepegawaian Negara or BKN) is a strong safeguard against employment of ghost workers.

- Since 2009, the Government has complemented its multi-horizon planning system with a financial dimension, incorporating the first comprehensive Medium-Term Expenditure Framework (MTEF) into the RPJMN 2010-2014 and launching its practical implementation through the 2011 annual budget (although it still covers only central government spending). This provides stakeholders in child protection with growing confidence over their financial allocations in the mid-term and an opportunity to link these allocations with policy priorities.

- One of the major streangths of the Indonesian PFM system is the Government's is high accuracy and good quality of financial accounting. Indonesia received highest scores in the two successive PEFA assessments for ensuring timeliness and regularity of accounts reconciliation, quality and timeliness of annual financial statements by the spending agencies, and ensuring public access to financial data.The annual budget, the half-year financial reports and external audit reports are available on-line, and major public procurement decisions are published on the web-sites of respective agencies.

- Indonesia is highly advanced in having successfully adopted a modern expenditure classification which corresponds to international standards. In particular, it includes a functional classification of budget expenditure which follows the Classification of the Functions of Government (COFOG) system developed by the OECD but has an additional function for Religion. This helps to track spending related to child protection by its functional purpose (rather than just economic categories) and in ways which would be comparable internationally. For example, the COFOG classification contains a clear sub-function which summarises expenditures on Family and Children. Detailed technical description of the functions and sub-functions is clearly described in the Chart of Accounts, which is consistently applied for preparation, implementation and monitoring of the budget.

Open Challenges

- While the PFM reforms are on-going, budgeting still remains to be one of the weakest links in organising child protection in Indonesia. Reforms which aimed to ensure stricter expenditure controls have also significantly complicated the budgeting process and made it ratherrigid and, as a result, often inefficient. Spending agents are frequentlyleft with little leeway to re-allocate resources across budget lines to deliver services more cost-effectively, to react to unusual circumstances or to adjust to program performance. Moreover, complicatedand inelastic budgeting procedures sometimes complicate the spending process so much that most ministries and agencies are suffering from high levels of under-spend and skew their expenditure cycles unnaturally towards the end of year. In other words, most spending agents in Indonesia frequently experience cash shortages even when funds are available, because these funds might not be readily provided given the administrative difficulties of complying with the financing procedures.

: Child protection stakeholders (line ministries, NGOs, academia) should start finding ways to join the national PFM reform process, advocating the need for stronger financial flexibility. Experience shows that while such reforms take a long time to materialise, they could be facilitated by sector-level evidence on inefficiencies resulting from spending rigidities and how these lead to slippages in implementing national policies.

- Inflexible input-based spending regulationsare a significant barrier to the Government's plans for introducing performance-based budgeting and multi-year expenditure planning. While both tools have been in place since 2001, the vertical input-based norms make the idea of results-oriented budgets "a largely paper exercise with limited impact on allocative decisions". Respectively, spending agencies find it difficult to formulate meaningful benefit targets for incorporation to the MTEF, and instead of becoming a robust multi-year instrument, the MTEF does not realistically link to actual annual budgets and strategic spending choices.

- Intrinsic lack of flexibility in the budget preparation and execution in Indonesia proved to be most problematic for quickly reacting to unforeseen events such as major natural disasters. Until the 2004 tsunami, Indonesian central budget had only a very small reserve fund which could be used for contingency needs (World Bank, 2007). As of 2009, reserve fund remained very low: according to Bappenas, flexible contingency funds in the 2008 Budget were only 0.4% of total spending – or much lower than the regional average of 2% *(Bappenas, 2009)*.

- While many aspects of financial reporting in Indonesia are exemplary, a remaining major gap is the difficulty of consolidating financial data produced by the service delivery units and across budget tiers.Budget operations at the central and sub-national levels are captured by two different accounting and reporting units, which are weakly coordinated and not consolidated at any level. The central government funds are recorded within the Treasury Payment Office (Kantor Pelayanan Perbendaharaan Negara, or KPPN), while local budget operations are recorded by respective local treasure offices. Within the 2011 assessment, PEFA found no evidence of any unified version of these reports.Moreover, many sub-national frontline providers of services have direct access to additional off-budget sources of funding, which are not recorded by authorities at any level and frequently remain outside of fiscal reports. For example, the current accounting system does not provide any accurate estimate on the total amount of funds spent in the primary schools or primary health centres.

- One of the most harmful spending rigidities for child protection is Indonesia's earmarked subsidy which is allocated to large residential child care institutions on per client basis. The Government Subsidy Program for Additional Food Costs for Social Care Institutions (BBM) is calculated on per client basis, allocated in highly opaque way and mostly to institutions which managed to recruit a certain minimum of children. This financial incentive is one of the key factors

behind proliferation of residential institutions in Indonesia in the last years and, at the same time, a strong barrier to any efforts for deinstitutionalisation.

Recommendation: Most previous reports on child protection in Indonesia unanimously call for removal or reformation of the BBM subsidy. The Task Force may commission a focused study on why it has been challenging to implement this recommendation so far, and use it to develop a practical roadmap to achieve the change. Systemic reformation of the BBM subsidy could be used as one of the programmatic result indicators to motivate policy interest to this highly disturbing problem.

3. Human Resource Management

Current progress

- Human resource management is the strongest dimension of Indonesia's child protection systems governance: even though social work profession has not yet gained enough social prestige and working with children is sometimes discouraged, the Government already began to implement professional standards, personnel accounting systems and performance evaluation to build up its child protection expertise.

- Indonesia has installed a strong system of academic training for social work and child protection professionals. Many universities offer degree-level education and research opportunities in the area; and work is constantly underway to further improve and modernise curricula. In particular, Save the Children helped to develop core curriculum for social work education which has been adopted in 35 education facilities across the country *(Save the Children, 2011)*. An Indonesian NGO BPSW (Building Professional Social Work) is active in helping to develop curriculums in some of the universities. Much work was done through the Association for Social Work Education which co-operated with the International Association of Schools of Social Work (IASSW) to ensure international standards in social work curriculums, although it does not seem to have already influenced the actual curricula used in the country *(Fahrudin, 2013)*.

- The Government is working on development of a comprehensive regulatory framework for the social work profession, which would cover standardisation, certification, licensing and training. A set of such standards was introduced in 2009 through a Ministry of Social Affairs Decree , although these standards are rather broad and still need to be consistently implemented. There are also two certification and licensing frameworks in place for social workers: one under the Ministry of Social Welfare and the other one under the Ministry of Manpower and Transmigration. Most child protection staff seem to have clear job descriptions and go through regular performance assessment, although, according to the World Bank study, there is no robust system of sanctions for poor performance.

- Indonesia has an active network of professional associations in the area of social work, and these organisations are playing key role in the recent reforms to develop professional standards, competences and certification systems. Associations are involved in legal drafting, outreach and international co-operation.

Open Challenges

- There is a range of barriers which obstruct access of civil servants, contracted social workers and paraprofessionals to professional upskilling. First, civil servants in Indonesia are supposed to attend periodic trainings, and attendance of such trainings is an important factor in their career development, especially as they rotate to other locations. The level of financial compensation for civil servants strongly depend on their rank, which, in turn, is defined by education and seniority. This stimulates civil servants to actively seek education which would make them eligible for a higher rank *(Simanungkalit, 2012)*. However, the several available programmes for continued development in social work and child protection are not duly certified, which makes them less attractive as career development instruments. Secondly, participants perceive trainings as costly. Finally, remote areas were especially likely to have no access to training opportunities for the simple reason of their geographical detachment from major training centres.Recommendation: Existing child protection trainings offered to civil servants should be duly accredited. Where possible, partnering with distance-education providers could be a very useful tool to extend coverage.

- Authorities at all levels find it hard to attract and retain qualified social worker professionals to work with children. Contrary to popular belief, the reasons for this are not entirely – and often not at all – purely financial. Overall compensation package to civil service employees is often comparable to non-state sectors, and non-retirement turnover among civil servants in Indonesia is very low. However, first of all, social and professional prestige of social work in Indonesia is very low – again, not so much because of financial reasons but mostly because the profession is not seen as "serious" and does not offer flexible career choices (compared to, e.g., healthcare). Secondly, even within civil service, child protection duties are discriminated compared to other "regular" careers (especially in the justice sector). Finally, the Government seems to run a highly inefficient staff transfer policy. Transfers of child protection staff in all sectors and at all levels (national and sub-national) suffer from extreme scale, inconsistency and non-transparency. Moreover, there seems to be an organisational disconnect between the function of transfer management and service delivery. As a result, professionals cannot effectively build their careers and are discouraged to specialise in child protection.

  Recommendation: Building up public recognition of the social work profession is a long process but important practical steps should be taken as soon as possible. This includes: (1) Identifying (and perhaps adding) and promoting elements of the current professional standards which require specific education

and which are internationally competitive so that social work is not perceived as a career which limits opportunities to work abroad; (2) Advocating for specific ministerial policies against de-facto discrimination of child-related posts (affecting remuneration, promotions, and transfers). Even though there is no explicit legal provision which would dictate such difference in institutional status, it nevertheless exists as a strong perception across civil service. (3). Reformation of the staff transfer procedures, primarily through ensuring a better link between HR departments and sector unit heads; requesting higher transparency for the process (including better communication to the staff).

- Salaries of Indonesian social servants are a combination of amounts based on rank and on level of effort. However, exact procedures for establishing salary levels are rather complex and often defined by separate regulations. Theoretically, regional authorities can raise local salaries by establishing local supplements. However, the recent decision to fully compensate local governments the costs of civil service wages through the general transfer from the central budget significantly weakened any motivation for such policies. Overall, Recent literature is highly sceptical about the capability of the current salary structures to incorporate and motivate better performance. In view of some observers, the actual calculations rarely take job performance into account *(Tjiptoherijanto, 2012).* Others note that rules for defining salaries are so complex that this burdensome approach by itself makes it nearly impossible to reflect and communicate the link between compensation and performance *(Simanungkalit, 2012).*The World Bank believes that the amount of discretionary elements in the salary package (comprising the various allowance and honoraria) is so complex and non-transparent, that it becomes very prone to abuse. At the same time, there are very few non-salary incentives to motivate better performance among professionals inside the civil service.*(World Bank, 2007).*

  Recommendation: Strategically, the child protection stakeholders should aim at being included into the wider process of civil service reform, advocating for stronger reflection of performance in the salary structure. As a shorter-term goal, a system of non-financial rewards could be develop specifically for the child protection sector, covering both national and sub-national tiers.

4. Information Management

Current Progress

- Supply-side opportunities for data collection in Indonesia are ample. The Bureau of Statistics (BPS) is capable, open and cooperative, both to the Government and non-state observers. It is also bound by a framework Law on Statistics (No. 16 / 1997) which prescribes it to provide significant support to line ministries, both in terms of data collection and capacity building. Significant opportunities exist to develop child protection modules for the cyclical national surveys. Flexibility in collection of administrative data is even excessive, in

that no consistent template or list of child protection indicators applies across ministries and tears of government. Capitalising on these opportunities requires a pro-active, coherent, consensual lead at the national level.

- Within individual agencies involved in data management, speed of reaction is on average rather high and regularity of reporting is strong. Timeliness of data management was specifically analysed by the 2010 mapping of child protection information management by UNICEF et al.*(UNICEF; Universitas Indonesia; Columbia University Mailman School of Public Health, 2010)*. The analysis looked in particular at the amount of time it takes policy makers to register key trends and outcomes in child protection, as well as the speed of reaction by different stakeholders to the various events which occur in their respective child protection areas. It concluded that across most stakeholders, data collection is regular and effective, especially within Depsos and BPS, but also KPAI and, to smaller extent, police and MoWECP.

- One recent initiative coordinated through the BPS is a "metadata" portal on the BPS website, which is meant to consolidate and disseminate information on the availability of various data across the Government. Within this initiative, all agencies are supposed to inform the BPS on the types of data these agencies collect, so that the BPS would then update respective fields in the meta-database. Parts of the meta-database are open to general public while other parts are by registration.

Open Challenges

- One of the biggest weaknesses in Indonesia's child protection information management systems is the weak quality of data bases. This is linked to lack of consistency in definitions and templates, poor division of responsibilities in data consolidation, and lack of proactive lead for streamlining and overseeing these processes. The 2010 mapping of child protection information management by UNICEF et al. found that various actors involved in data collection and exchange used a range of unstandardised definitions and templates *(UNICEF; Universitas Indonesia; Columbia University Mailman School of Public Health, 2010).* Core concepts, starting with the very notion of the "child" and including "neglected children", "street children", "children in conflict with the law" etc. were understood differently, resulting in major distortion of respective databases. In addition to lack of standardised definitions, CP partners also lack consistency in the kind of indicators which they track. This adds to confusion and risks of gaps and overlaps in data collection and consolidation. Moreover, the quality of case management data is also questionable as there is no standardised process for record taking and documentation, frequent utilisation of untrained volunteers for data entering, and lack of systemic data audits.

- Unfortunately, Indonesia's child protection MIS is strongly biased towards data collected through case management.The 2010 study by UNICEF et al. illustrated that most information collected on child protection in Indonesia describes children who are going through some kinds of protective services.

Various agencies involved in provision and oversight of such services regularly collect case data; moreover, case management information is being constantly improved with new databases developed and new types of templates piloted in some provinces.At the same time, there is very limited amount of data which describe prevalence of cases and thereby the magnitude of child protection problems in the society. Some prevalence data is present in the DepSos databases on "social disfunctionalities" however, the coverage and quality of this data is questionable. The 2010 study notes several initiatives to develop new prevalence surveys, which rightly focus on a stronger role for the BPS.

- The second significant problem is lack of pro-active demand for child protection data from the policy-makers. On the one hand, the Government does rely extensively on BPS data to develop its strategies for child protection (for example, the National Programme for Indonesian Children 2015 (*Program Nasional Bagi Anak Indonesia* or PNBAI) contains extensive analysis of most available types of data). At the same time, the scope of the current evidence-based analysis is very narrow and there is almost no usage of data for the issues related to violence, abuse and maltreatment of children, their commercial sexual exploitation, trafficking; protection of children in emergencies; children in minority groups, including remote communities. Line ministries also generally seem to lack evidence-based arguments and skills to use itin defending their budget proposals, which also makes it difficult for Bappenas to support their child protection initiatives.

  Recommendation: A child protection module could be integrated into BPS cyclical surveys such as the 3-yearly socio-economic survey; particularly with regard to prevalence and attitudinal components.

- One potential reason for weak data utilisation is that statistical function is not strongly integrated into the policy process. On the one hand, line ministries in Indonesia usually have one or more structural units which are specifically dedicated to research and data analysis; some ministries (including the Ministry of Social Affairs) also use statistical help of arms-length academic institutions. But on the other hand, staff in regular units involved in policy development do not seem to ever receive any basic training in data analysis and evidence-based policy-making. This makes them oblivious of any statistical considerations or have little idea how data could help their work.This was also confirmed by representatives of the BPS who regretted that much of the existing statistics is wasted without application.Recommendation: Professional development plans of ministerial staff with primary responsibility for policy development would benefit from including training enabling and motivating them to incorporate data analysis into their routine work.

- Another complex reason behind the weakness of pro-active demand for data is that data management for child protection is fragmented across a range of ministries without one lead actor at the national level. Key players with diverse MIF functions include the Bappenas, agencies which lead in service provision

and generation of primary data, the Ministry of Social Affairs, the BPS, and the Commission for the Protection of Indonesian Children (KPAI).

Recommendation: (1) It would be strategic to develop an overarching roadmap for building a practical model of child maltreatment surveillance including an underlying information management approach. The model should include a clear division of tasks and responsibilities across players in child protection, including data consolidation, interpretation and follow-up. (2). Current players in child protection would benefit from active cooperation with the BPS meta-data portal, which could become a short-term solution for the currently fragmented child protection MIS.

- Lack of lead Government actor in child protection makes it difficult to define joint research and data collection priorities. Organisations working on child protection research often remain in good working relations and know each other informally. Both, at the national and local level, think tanks know at least those who work on similar protection issues, engage in informal discussions, and share information when needed (including on particular cases or research opportunities). However, this communication is not systemic, not based on formal partnerships, and not orchestrated by the Government or any other actor.

Recommendation: Strategic planning in child protection might include a coordinated research agenda (including any data gathering needs, e.g. related to abuse prevalence) which would be promoted across the academia and donors. A possible platform for this work is the Children in Crisis Network currently developed by the Bappenas, Depsos (Ministry of Social Welfare) and the UNICEF, which is already functioning as a platform for coordination across academics, practitioners and policy makers in child protection since 2008. However, the ownership of this strategic research request should remain with the governments and should be linked to coordinated policy priorities in the area.

5. Quality Assurance

Current progress

- Indonesia is strategically keen to ensure safe and high quality services for children, and a number of important steps were made in this direction. Importantly, the Government recognises the need for child-focused and innovative approaches, which is reflected in core strategic documents. In particular, the principles for child protection service delivery set out within the Child Protection Framework Law (No. 23/2002) highlight the central importance of the child's best interests, respect to the child's opinion, non-discrimination and protection of the child's rights. As such, these principles and their further elaboration in the Law open significant opportunities for innovation and creative search for more effective, child-focused solution to management of child protection risks. The need to develop new child protection services is

also explicitly highlighted in the core Action Programme for Child Protection - The National Programme for Indonesian Children 2015 (PNBAI).

- The Government is running an innovative programme aimed to develop more flexible and child focused services – the already mentioned PKSA initiative (*Program Kesejahteraan Sosial Anak* or "Social welfare programme for children"). The PKSA entails an open-ended funding facility with sufficient flexibility at the level of service purchasing to enable innovative decisions in the child's best interests. The element of PKSA design which is conducive to finding new solutions is the fact that cash transfers under this facility are allocated on youth savings accounts and combined with assistance received by these children and families to raise their resilience and to access basic services. This is done with the help facilitators: social workers who act as gatekeepers of the cash transfers as well as service providers (although their role is expected to gradually shift closer towards gatekeeping) *(Center on Child Protection, 2011)*.While this programme still has a relatively low coverage, it is a very important initiative to seed the pattern of flexible purchasing of child protection services guided by the best interest of the child rather than the interest of the providers, eventually opening way to innovation and alternative solutions.

- There are several frameworks in Indonesia which attempt to establish service quality standards, some directly relating to child protection. First, there are two sets of standards which cover any public services provided in the country – including in child protection. One such broad system – Minimum Service Standards (SPMs) – is in place to guarantee a basic minimum of social services across Indonesia's diverse localities. A separate set of such SPMs were developed for Child Protection. The other broad system – Public Service Delivery Standards (SPPs) – defines rules for engaging the public in quality management. However, on top of these broad standards, Indonesia also introduced specific National Standards of Alternative Care for Children, which is defined as a broad area and includes important child protection considerations.

Open Challenges

- Control of service quality is a new area for child protection in Indonesia, with many serious gaps. While some initial work was undertaken to develop quality service for major service providers – especially residential providers of alternative child care – there is almost no capacity at central or local level to inspect and oversee actual implementation of these standards. There is no evidence of regular inspections at provider level, no transparent methodology on how such checks should be done. There are essentially no clear instructions for whistle-blowing or mechanisms for protection and confidentiality of the reporting staff.

    Recommendation: The Government needs a comprehensive (perhaps sampled) assessment on the progress in enforcing the inspection mechanism of the

2011 Child Care standards. In particular, a baseline understanding is required on whether there is any progress in monitoring institutions beyond those registered with DEPSOS, whether current inspection include checks at the level of service providers (rather than consolidated analysis by local authorities); and what is the exact process of inspections currently taking place. Informed by these findings, the Government needs to develop a practical tool to address identified barriers. This may include: establishing an independent professional oversight inspectorate to oversee application of care standards in child care institutions; development of sampled policies and standard procedures to handle complaints (the 2011 Standards require institutions to develop such policies but the skill seems to be new and challenging); revision of the whistle-blowing provisions of the Standards to protect safety and confidentiality of the reporting staff.

- Licensing system is formally in place but has numerous gaps and limitations. Indonesian legislation requires mandatory registration of all NGOs with a separate database kept for organisations working in social welfare sector. However, registration is essentially unconditional and it is not clear whether a special register is kept of organisations working specifically with children. In addition to registration, there is a licensing requirement for all NGOs engaging in alternative care of children, with an opportunity of further accreditation to prove high standard of service. However, it is limited to services in alternative care and there is no evidence of its effectiveness (given that it delegates the entire responsibility for the process to sub-national governments and does not spell out mechanisms of any central monitoring or oversight). Just a few years ago, Indonesia was reported to have around 8,000 institutions for children, hosting half a million of residents. According to Save the Children, nearly 99% of these institutions were privately run faith-based organisations which remained unregulated *(Save the Children, 2009).*

- Another significant barrier to service quality is lack of institutional arrangements for robust gate-keeping and referrals. Not only these lack clear procedures, but there is usually also no capable frontline unit which would take up this role. Child protection cases at the district level are handled through a loosely coordinated network of social authorities, police units, and integrated service centres. Their responses are usually tertiary and highly inadequate in terms of prevention, not least because the range of alternative options is non-existent.

  Recommendation: The current referral system would benefit from a review. While remaining flexible and contextual at the sub-national level, it could still be streamlined by introducing a national set of guidelines, including a clearer division of responsibilities, operating procedures for establishing particular local networks (i.e. guidelines on running initial consultations, sampled versions of memoranda of understanding etc). Such guidelines could be developed on the basis of the experience of the current pilots in some of the provinces.

6. Public Communications and Influencing

Current progress

- Existing capacities for public communications in child protection are a mix of strengths and weaknesses. One of the biggest assets is a strong academic interest in anthropology, religious studies, phenomenology, and public choice studies.Sampled analysis of current research showed that investigation of cultural factors behind social trends is a very popular academic theme; there is a range of grants and fellowships allocated regularly to studies of behaviour change and attitudinal factors in child protection. Non-state research also covers some aspects of the mixed legal systems and their links to child protection (e.g. the links between new policies in juvenile restorative justice and the traditional values of penal mediation intrinsic in the philosophy of Pancasila, which prompts community members to resolve problems through harmonious joint effort *(Supusepa, Akub, Sofyan, & Karim, 2014).*

  Recommendation: The Government's practical work on behaviour change, awareness raising and information sharing should be linked more actively to the massive academic research already ongoing in this area.

- Initial thinking about possible influencing strategies in Indonesia described in current strategic documents (such as PNBAI and the provincial child protection system mapping) builds very explicitly on the currently shared positive values. For example, much of the analysis of possible communications in the provincial mapping describes currently shared attitudes of social solidarity, community cohesion and thinking of children as a blessing and as the future for the society.

- Some new models are developed on pilot basis, such as the positive deviance initiative against child trafficking in East Java. Indonesian Government actively co-operates with international donor agencies and organisations to develop a range of positive child protection models which could be used for influencing and communications. In particular, Indonesia is one of the champions of positive deviance approach in child protection, having worked on a 5-year pioneering project in East Java together with Save the Children and Indonesian NGOs since in 2003-2008. The project worked on prevention of girl trafficking by helping to find other economically viable solutions to remain in their communities. This initiative focused on dealing with deeply rooted informal social rules around sex trade, including the social taboo on discussing the issue. Other important attitudinal factors included parental complacency with letting their children engage in dangerous income-generating activities and their views that sometimes it was inevitable and any risks were impossible to manage. The project generated and actively disseminated evidence to show that alternative economic solutions within the village were possible; that entertainment industry contained risks which could have been avoided by careful investigation of employers, ensuring that girls leaving the village would remain in close written contact with the families by regular letters and phone calls etc *(Singhal & Dura, 2010).*

Open Challenges

- Almost without exception, stakeholders in child protection are acutely alert to the role of attitudes, values, traditions and religious beliefs in building safe environment for children. At the same time, this joint understanding has not yet materialised into a coherent strategy of public communication and behaviour change.

  Recommendation: This assessment has discovered a lot of interest and support among the stakeholders towards developing a comprehensive communications strategy for child protection, based on modern public communication technologies and influencing.

- While there is no comprehensive communication strategy, some communication objectives are included in a range of programmatic documents; for example, some discussion of attitudinal issues is included into the National Programme for Indonesian Children 2015 (PNBAI). Outside the strategic documents, working-level consultations among stakeholders rely on data from tertiary intervention. However, objectives related to communication which are included in the strategies are very wide and often subjective, and they are not explicitlyreferring to prior diagnostic analysis of attitudinal (rather than case management) data, objective evidence on values and beliefs, and measurable baselines related to communication and influencing. Current references to communication objectives are also formulated in generic terms, without specification of any particular messages, target audiences or influencing tools. Notably, pilot initiatives already exist to improve this approach: in particular, through research done by Puska PA UI supported by UNICEF not only the intervention on prevention based on research and development of key strategies, it also served to "educate" stakeholders to analyze situation based on studies/ evidence based before taking actions publicly.

  Recommendation: The key component of a good communication plan(s) should rest with a sound evidence-based diagnostic analysis. Key messages in the current strategies which refer to attitudes in child protection require additional research, including through better engagement of the academia, as discussed previously. A model for this could be the methodology and materials developed by the Puska PA UI.

- Mixed legal system with elements of civil, sharia and adat law holds child protection as a sensitive and potentially conflicting area. Indonesian legal system is a mixed system, which includes elements of Roman Dutch Law but also significant components originating in religious (mainly *sharia*) and customary law (including the *adat* – traditional law not deriving from Islam). As in many countries in the region, traditional law is an especially strong factor in shaping views and decisions in child protection. Family relations, including the role and responsibilities of children and parents, as well as rules for engaging with wider communities on child protection matters, is an area on which many traditional legal systems hold particular and rather strong views. At the same time, none of the current strategies in child protection explicitly

discuss the need to positively bridge the current gaps and conflicts across the legal systems. All existing programmatic documents seem to address the issue by using flexible or vague definitions which broadly fit conflicting perspectives, but simultaneously create confusion and room for wishful interpretation.

Recommendation: Any of the current issues related to the implementation of child protection policies within the mixed legal system would benefit from a more open and more technically rigorous academic debate. The Government should lead in this process and make sure that the outcomes of the analysis are taken on board in its legislative and policy drafting.

The current pool of data collected and used in Indonesia's child protection system does not seem to contain any information on values and attitudes. Demographic and socio-economic data collected by the Bappenas and the information on "social dysfunctions" raised by the Depsos do not have any attitudinal aspects. No current surveys, national or local, has components which would cover cultural dimensions for any child protection issues, even those which were identified with relative clarity in the strategic documents (e.g. attitudes to children participating in labour, views on the phenomenon of domestic violence, thoughts on street children, children in conflict with the law etc). Case management data collected at the local level could theoretically contain attitudinal component, but given that it is not structured and standardised, verifying this or using this data is not feasible.

Recommendation: Use opportunities of cooperating with the BPS, academia and international donors to prioritise regular collection of attitudinal data.

INDICATOR 1.1.
CLARITY AND CONSISTENCY OF CHILD PROTECTION POLICY PRIORITIES

Regulatory framework is capable of instilling collective sense of direction in child protection reforms:	C(1.75)
• The country has ratified UN conventions relevant to children's rights to protection[1];	Yes, restricted (0.75)
• The Government has a national child protection policy statement or national framework document, supported with respective plans of action with clear mid-term priorities;	Yes, restricted (0.75)
• National programmatic documents for child protection are supported with coherent sub-national legislation or consistent guidelines for implementation at relevant sub-national levels;	No (0)
• Child protection priorities are known and understood by the majority of stakeholders throughout the system.	No, extended (0.25)

Ratification of International Conventions

International commitments related to child protection have taken root in Indonesia decades ago. Indonesia signed and ratified CRC in 1990, and has been a party to some of the other key international conventions relating to protection of vulnerable children since much earlier (signing and ratifying the Forced Labour Convention in 1950, the CEDAW - in 1980/1984, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment - in 1985).

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[1] 76-100% relevant conventions ratified = "Yes"; 51-75% relevant conventions ratified = "Yes, restricted"; 26-50% relevant conventions ratified = "No, extended"; 0-25% relevant conventions ratified = "No".

With the beginning of the post-1998 political liberalisation era, Indonesia's participation in the international efforts relating to child protection swiftly expanded. Overall, political commitment to protection of human rights has been at the heart of the democratic reformation agenda. The Office of the UN High Commissioner for Human Rights has called this period a "momentous transition", reflected in the Government's explicit recognition of human rights, democracy, justice and law as central priorities. During this period, Indonesia signed most of the international conventions which are instrumental for child protection. These included treaties developed through the decades prior to 1998 but also new global initiatives adopted since that time *(see Figure 1).*

As of early 2014, Indonesia is one of the regional champions, having signed 62% of all relevant international treaties *(see list in Figure 2).* These treaties include specific commitments to protect children against torture, cruel treatment, trafficking and exploitation. They also cover obligations to reduce protection risks related to key vulnerabilities such as racial discrimination, disability, or migration. Importantly, only in the last two years, Indonesia ratified two earlier signed optional protocols to the CRC and the Convention on the Rights of Persons with Disabilities.

During the FGDs for this assessment, stakeholders agreed that ratification of international conventions is an easier political task compared to their actual implementation. Representatives of the ministries and civil society listed many recently ratified conventions which have not yet been taken further to become elements of national law, including many provisions of the CRC itself.

> *"We ratify an awful lot of various conventions. It is easier for us to ratify conventions than to mainstream them into actual policies. For example, we have accepted the Convention on Torture, but it still needs a lot of work to be implemented. So sometimes it appears that we have ratified, but do we really have commitment to implement it? Take the example of National Education Law No 20/2003. It does not mention the CRC. According to CRC, disciplining the child should not diminish its dignity. So, if we really want to implement it, we should criminilise teachers to are violent with children, but in reality there is no commitment to such implementation. Equally, we have ratified ILO conventions. But only some of these obligations are taken further into labour law. So, the conclusion is, Indonesia has good international commitments, but its weaknesess lie further when it has to be taken into the realm of national law."*

Moroever, Indonesia is still staying aside of some major international initiatives related to child protection which seem to address politically challenging issues. With all the significant progress in adopting global human rights agenda, many of the respective agreements were not yet accepted by Indonesia, as described below. These remaining areas reflect policy issues which have been notoriously controversial in the child protection debates in Indonesia and still represent an open challenge.

Figure 1.
Indonesia's participation in international conventions related to CP in 1926-2013

Treaties Signed by Indonesia	Key International Treaties	Treaties Signed by Indonesia	Key International Treaties
	1926 — Slavery Convention		1970
	1927		1971
	1928		1972
	1929		1973 — Min. Age Conv.
	1930 — Forced Labour Conv.		1974
	1931		1975 — Conv. on Migration in Abusive Conditions (…)
	1932		1976
	1933		1977
	1934		1978
	1935		1979 — Elim. of Discrimination ag. Women
	1936	Elim. of Discrimination ag. Women — 1980	
	1937		1981 — Hague Conv. on the Civil Aspects of Int. Child Abduction
	1938		1982
	1939		1983
	1940		1984 — Conv. ag. Torture
	1941	Conv. ag. Torture — 1985	
	1942		1986 — Indigenous and Tribal Peoples Convention
	1943		1987
	1944		1988 — CRC
	1945		1989
	1946 — Migration for Employment Convetion	CRC — 1990 — Conv. on Protection of Rights of All Migrant Workers (…)	
	1947		1991
	1948		1992
	1949 — Conv. for Suppr. of Traffic in Persons (…)		1993 — Hague Convention on Intercountry Adoption
Forced Labour Conv. — 1950		Min. Age Conv. — 1994	
	1951 — Conv. Status of Refugees	Elim. of Racial Discrimination — 1995	
	1952 — Conv. Status of Stateless Persons	Abolition of Forced Labour Conv. — 1996	
	1953		1997 — WFCL Conv.
	1954 — Abolition of Forced Labour Conv.		1998 — OP-CRC (sales, prost & porn)
	1955	Conv. ag.Transnational Org. Crime — 1999	
	1956 — Suppl.Conv. on Abolition Of Slavery	Protocol to Prevent, Suppr. & Punish Trafficking in Persons — 2000 — OP-CRC (armed conflict)	
	1957 — Abolition of Forced Labour Conv.	2001 — Conv. ag. Transnational Org. Crime	
	1958	WFCL Conv. — 2002	
	1959	OP-CRC (sales, prost. & porn.) — 2003 — Protocol to Prevent, Suppr. & Punish Trafficking in Persons	
	1960	2004	
	1961	OP-CRC (armed conflict) — 2005 — OP-Conv. ag. Torture (…)	
	1962 — Conv. on Consent and Minimum Age for Marriage (…)	2006	
	1963	Conv. for Suppr. of Traffic in Persons (…) — 2007	
	1964	2008 — Conv. on the Rights of Persons w. Disabilities	
	1965	Conv. on Protection of Rights of All Migrant Workers (…) — 2009	
	1966 — International Covenant on Econ., Soc. & Cult. Rights	2010	
	1967	2011	
	1968 — International Covenant on Civil and Political Rights	International Covenant on Econ., Soc. & Cult. Rights — 2012	
	1969 — Elim. of Racial Discrimination	International Covenant on Civil and Political Rights — 2013	
		Conv. on the Rights of Persons w. Disabilities	

Treaties which have not been signed by Indonesia as of 2013

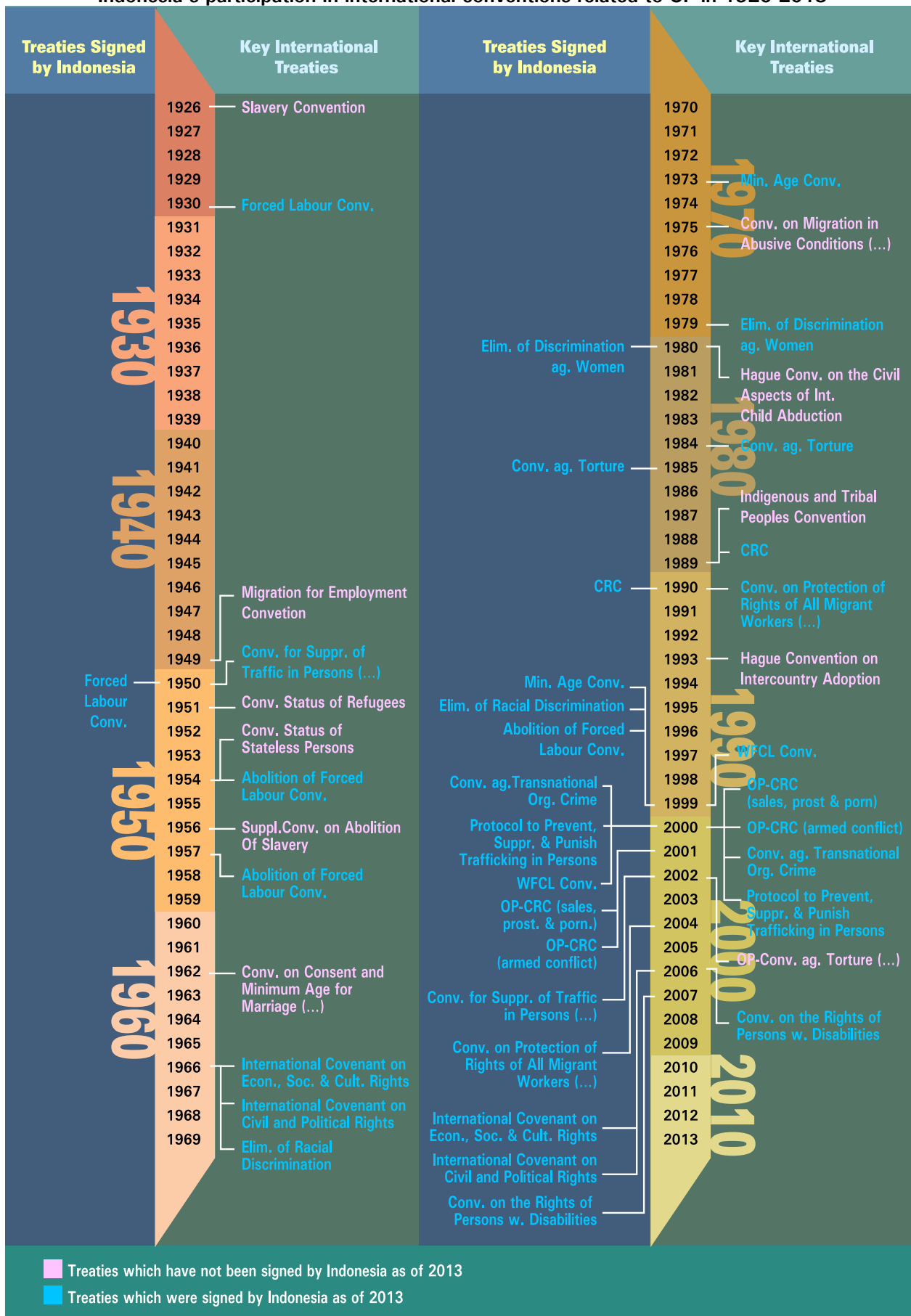Treaties which were signed by Indonesia as of 2013

Figure 2.
International treaties: current status of signing and ratification by Indonesia

	Treaty Adopted	Year of Signing	Year of Ratification
UN Treaties			
Convention on the Rights of the Child	1989	1990	1990
Optional protocol to the CRC on the involvement of children in armed conflict	2000	2001	2012
Optional protocol to the CRC on the sale of children, child prostitution and child pornography	2000	2001	2012
Convention on the Elimination of All Forms of Discrimination against Women	1979	1980	1984
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1990	2004	2012
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1984	1985	1998
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2002	-	-
International Convention on the Elimination of All Forms of Racial Discrimination	1966	-	1999
Convention on the Rights of Persons with Disabilities	2006	2007	2011
International Covenant on Civil and Political Rights	1966	-	2006
International Covenant on Economic, Social and Cultural Rights	1966	-	2006
Convention relating to the Status of Refugees	1951	-	-
Convention relating to the Status of Stateless Persons	1954	-	-
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others	1950	2003	-
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	2000	2000	2009
Slavery convention	1926	-	-
Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery	1956	-	-
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages	1962	-	-
Convention against Transnational Organised Crime	2000	2000	2009
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	2000	2000	2009
ILO Conventions			
Forced Labour Convention	1930	1950	1999
Migration for Employment Convention	1949	-	-
Abolition of Forced Labour Convention	1957	1999	1999
Minimum Age Convention	1973	1999	1999
ILO Convention concerning Migration in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers	1975	-	-
Indigenous and Tribal Peoples Convention	1989	-	-
Worst Forms of Child Labour Convention	1999	2000	2000
Other			
Hague Convention on Intercountry Adoption	1993	-	-
Hague Convention on the Civil Aspects of International Child Abduction	1980	-	-

Child and Servile Marriage

- **CRC and, which were ratified by Indonesia, do not explicitly address the issue of child marriage.** Indonesia is party to the CRC and CEDAW, and had expressed commitment to ratify the Optional Protocol to the CEDAW, including through the list of planned ratification within the 2011-2014 National Plan of Action on Human Rights *(UN CEDAW, 2012).* Both of these core treaties secure consensual nature of marriage and refer to unsuitability of marriage for children, but they both leave the states a considerable leeway in the actual definition of marriageable age and, thereby, the concept of child marriage itself[2]*(UNGA, 1979) (UNGA, 1989)*. As a result, child marriage remains one of the most legally challenging areas in child protection and one of the most frequently discussed issues in the discussion of national reform progress by CEDAW and CRC committees *(Alwis, 2007).*

- **Defining and regulating child marriage has been politically difficult for Indonesia, showing that societal commitment on this issue is weak.** Child marriage remains prevalent, especially in rural areas, despite economic and social changes. In 2008, 36.6% of all marriages in Indonesia involved children under 16, including both girls and boys *(Plan Australia, 2013).* Most researchers agree that this phenomenon is strongly linked to dominating cultural and religious beliefs. In particular, it relates to the ambiguity of the definitions of the child's best interests and views on who should define it (child, parents, community or the state). Moreover, J.H. Reed, a legal anthropologist, notes that child marriage could also emerge in some communities as a "rational response to irrational or dangerous context", for example in a refugee camp settings or conflict environment, even if these communities have not practiced this tradition previously *(Reed, 2013)*. This lack of robust societal commitment to elimination of child marriage in Indonesia is matched by a legal framework which makes it possible for individuals under 16 to marry with permission from the Religious Court or a government officer *(Plan Australia, 2013)*.Child marriage is also indirectly promoted by other laws and policies. For example, Indonesia's Marriage Law, which authorises polygamy, states that one of the legitimate reasons for men to seek more than one wife if the current wife is incapable to have a child. This provision endorses a stereotypical view that the only function of women is to bear children and stigmatises girls who chose to delay pregnancy and marriage *(Amnesty International, 2012).*

- **Controversial nature of this issue is reflected in the fact that the country has so far refrained from signing the 1962 UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.** This convention explicitly calls for complete elimination of child marriages and the betrothal of young girls before the age of puberty, and commits the government to legally specify a minimum marriage age without any option to legally enter marriage under that age (with very few exceptions) *(UNGA, 1962).*

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[2] CEDAW Article 16 states that "marriage of a child shall have no legal effect" but does not have an explicit definition of the child. The CRC defines children as persons below the age of 18 "unless under the law applicable to the child majority is attained earlier".

- **Indonesia also remains outside of the global Slavery conventions and their specific commitments to eliminate child servitude in child marriages.** One of the risks related to child marriage is that the child could be forced to heavy domestic work, sexual exploitation, or other forms of servile arrangements (including cases when children are sold or transferred into marriage) *(UNICEF, 2005).* The two UN treaties which explicitly protect children from the risks of servile marriage, including via specification of the marriageable age, are the 1926 Slavery Convention and the 1956 Supplementary Convention on the Abolition of Slavery *(UNGA, 1926)(UNGA, 1956).* Notably, while Indonesia resolutely committed to protect children from forced labour (entering all of the respective ILO conventions and signing the UN anti-trafficking convention), it has not yet signed or ratified the two Slavery conventions. Some studies also indicate at an exceptionally high level of the actual prevalence of the problem. In particular, the 2013 Global Slavery Index (which ranks countries by a weighted measure of modern slavery prevalence, the level of human trafficking and the level of child marriage) placed Indonesia at the level which was much higher than expected average for a country of its Human Development Index level *.*

Statelessness, Refugees and Displaced persons

- **Protection of the rights of refugees, asylum seekers, internally displaced and stateless persons has been a challenging area for East-Asia and Pacific countries during the last decade.** On-going struggles of the states for their national security and state sovereignty, armed conflicts within countries and evolving relations among the states, as well as, increasingly, natural disasters and changing weather conditions, have prompted massive movements of people across and within borders in the region.

- **Indonesia hosts significant numbers of stateless and refugee families and has one of the largest IDP populations in the world.** Indonesia experienced significant displacements of its population after the post-1998 economic and political turbulence, which began to subside after 2002. It also lived through dramatic displacements following the 2004 Indian Ocean tsunami. However, the problem remains acute and controversial to this day. Currently, Indonesia is said to still have one of the largest IDP globally, represented by people still unable to return home after former conflict and violence (e.g. in the provinces of Maluku, Aceh, Central Sulawesi, and West Timor) but also with new displacements related to inter-communal conflict in East Java and Lampung provinces and military operations in Papua province *(Hedman, 2009) (IDMC, 2012).* Indonesia also faces an increasing and controversial problem of marginalised minorities of foreign migrant workers and asylum seekers (such as those arriving from Malaysia or those on the transit route to Australia, including Rohingya refugees).

- **Poor support systems for such families create extreme protection risks for the children.** Refugee and stateless children face particular risks of marginalisation, abuse and lack of access to basic protection and social services. Moreover, as

will be discussed further in this assessment, Indonesia is one of the countries which rely on detention facilities for asylum-seekers and stateless people where thousands of children they are kept in highly abusive conditions, often beaten, and are subjected to extreme neglect, sometimes having no access to basic food, shelter and legal support *(Human Rights Watch, 2013).*

- **Like many countries in the EAP, Indonesia has not taken explicit international commitments to protect refugees and stateless people and children.** At the same time, subscription to international commitments in this area and national frameworks for protection of such vulnerable population groups remain fragile across EAP, and in Indonesia in particular. Only one country in the region (Philippines) has so far ratified the two relevant UN treaties: the 1951 Convention relating to the Status of Refugees *(UN, 1951)* and the 1954 Convention relating to the Status of Stateless Persons *(UN, 1954).* At this point, Indonesia remains outside of these global commitments, although the Government outlined a plan to endorse the UN Convention on the Status of Refugees within the third National Action Plan of Action on Human Rights for 2011-2014. The country does participate actively in some of the regional initiatives to address these issues, notably through co-chairing (with Australia) the Bali process initiated in 2002 to address increasing flows of asylum seekers and human trafficking. However, this work still has to be explicitly mainstreamed into the country's domestic frameworks and international commitments, especially in what relates to large-scale IDP concerns and statelessness. The Government reported on three major obstacles to further committing to international refugee law: lack of domestic instruments to address their problems, lack of information on the numbers of refugee and domestically displaced persons and children to design support systems, and lack of knowledge and capacities on how to address refugee issues, and child protection issues in the context of displacement, in particular *(Risser, 2007).*

Risks of Abuse in International Adoption and Guardianship

- **Indonesian law is very strict towards adoptions, reflecting the highly sensitive nature of this mechanism for the country's culture and majority religion.** Arranging care for children bereft of parental care is a highly complex ethical matter for most cultures and religions around the globe. Indonesia, which is home to many religious and ethnic groups, including majority Muslims, faces a range of challenging legal questions on how to ensure that children whose parents are not able to rear them grow up in a loving and safe environment. In particular, Indonesia is one of the five Muslim-majority countries in the world which legally accepts adoption and one of the two such countries (together with Tunisia) which allow conversion between *kafalah* and adoption (*Muslim Women's Shura Council, 2011)*. At the same tie, Indonesian law is very strict, imposing particular requirements on adopting families, in particular requesting them to be the same religion as the child [3] .

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[3]   Adoption *(pengangkatan anak)* is governed by Law No. 23 of 2002 dated 22nd of Oct. 2002

- **Complex emergencies of recent decades left thousands of children without parents, often resulting in risky residential placements.** While Indonesian law and culture strongly prefer children to remain within their distant families or communities, the country has lived through great pressures to find proper alternative care for large amounts of parentless children. Many children have been losing their immediate families to war and conflict, and an unprecedented wave of orphans was created by the 2004 Indian Ocean tsunami (only in Aceh province, at least 2500 children were estimated to have lost both parents) *(UNICEF, 2006).* Indonesia's Government made resolute steps to help these children unify with their families and to ensure that adoption was the option of last resort. However, this often resulted in placing children into residential care. At the very least, orphanages were used as a temporary solution until more permanent options could be found. Later research showed that such residential solutions had adverse consequences and created significant protection risks for the children, including because of its transitory nature during the most fragile early years of children's life and development *(McGinnis, 2005)*. As discussed in other sections of this report, proliferation of residential care generally is a significant issue for Indonesian child protection system and residential placement of children left without parental care as a result of complex emergencies represents only one example of excessive reliance on such services, since only 6% children placed in the orphanages nationwide are parentless.

- **International treaties to prevent abusive adoptions and international abduction of children have not been ratified by the Government.** Complex emergencies of the last decade demonstrated that while adoptions create legitimate child protection concerns, the Government needs to act pre-emptively and establish robust mechanisms and safeguards for addressing these risks before disasters strike, making sure that when truly needed, adoption can happen quickly and safely for the children. Key principles for such pre-emptive safeguards are described in the two international treaties which currently regulate inter-country adoptions. These two conventions introduce minimum standards to make sure that adoption is used as the last resort in the hierarchy of alternative care options, but that when it happens children and parents are equally protected, risks of abuse and international abduction of children are minimised. However, neither of these treaties have been so far accepted by Indonesian Government.

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concerning Child Protection; Decree of Minister of Social Affairs No. 44/HUK/1997 dated 31st of July 1997 concerning Fostering of Children Welfare through Adoption; Decree of Minister of Social Affairs No. 2/HUK/1995 dated 25th of Jan. 1995 concerning Completion of Attachment of Decree of Minister of Social Affairs No.13/HUK/1993 concerning Implementation of Adoption; Supreme Court Circular Letter No. 2 of 1979 dated 7th of Apr. 1979 concerning Adoption; and Supreme Court Circular Letter No. 6 of 1983 dated 30th of Sept. 1983 concerning Completion of Supreme Court Circular Letter No. 2 of 1979 concerning Adoption (http://www.expat.or.id/info/adoptingchildreninindonesia.html)

They include:

- The Hague Adoption Convention[4] , which addresses the risks of child laundering, child trafficking and exploitation which may occur as a result of adoption; and

- The Hague Abduction Convention[5] , which establishes mechanisms for return of children abducted from one country to another.

National Child Protection Priorities

Child Protection within The National Development Agenda

During the last decade, Indonesia has made remarkable progress in developing strategic legislation for Child Protection. In addition to Constitutional amendments which significantly strengthened legal basis for protection of human rights (as will be discussed in detail in the next section), the Government reflected its new vision of a protective environment for Indonesian children in a Child Protection framework law, a range of specific laws for relevant sectors, and, importantly, the country's long- and medium-term development planning documents.

- The current Child Protection Act (Law No. 23/2002 on Child Protection) was approved in 2002, the same year as the Fourth Constitutional Amendment. Approval of the Act was critical for two core reasons.

  - First, it set out detailed legal foundation for the Child Protection system in line with the Constitutional vision and the key principles of the CRC. This new law complemented and extended the previously existing1979 Child Welfare Act (Law No. 4/1979 on Child Welfare), which   was narrowly focused on material wellbeing of children. Instead, the new vision was much broader, including provisions on protecting children from all forms of physical and mental violence, exploitation and discrimination *(Government of Indonesia, 2005).*

  - Secondly, the Child Protection Act addressed, at least partially,the legal difficulty related to the fact that Indonesia ratified the CRC with a Presidential Decree (No. 39 of 1990) rather than an act of Parlia ment and had been therefore lacking national legislative endorsement of the Convention. Approval of the Act has made it possible to reflect CRC principles in the national legislation, which has a higher status in Indonesian legal hierarchy in comparison to Presidential Decrees *(Save the Children, 2010).*

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[4]   1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption
[5]   1980 Hague Convention on the Civil Aspects of International Child Abduction

- Policy provisions related to Child Protection were also incorporated into relevant laws specific to other sectors. In particular, the 2009 Health Law included a provision which guaranteed children a right to health services and sufficient nutrition, the 2003 National Education Law established a right to basic education, and the 2003 Labour Law guaranteed state protection of children below 15 years from having to earn their own income (Bappenas, SMERU, UNICEF, 2010).

- Child Protection features in the country's complex strategic planning system, including the 2010-2014 Development Plan (currently under progress review). Indonesia's system for strategic planning is based on the National Long-Term Development Plan (RPJPN 2005-2025), introduced in 2004[6] . This long-term plan is implemented in four stages, each described in a respective National Medium-Term Development Plan (RPJMN). The current, second stage, is covered by RPJMN 2010-2014, which aims at consolidation of previous reforms and focuses at increasing the quality of human resources and building up institutional capacities. At the moment, the Government is preparing for a progress review for the current RPJMN that now crossed the halfway line.

- The RPJMN 2010-2014 sees Child Protection as a Cross-cutting Development Policy Direction – a broad field which stretches through several sectors[7]. For Child Protection in particular, the plan assumes that Indonesia has to achieve three key Targets:

  - Improvement of the quality of child survival and development (better and more accessible early childhood development, health and reproductive health education);

  - Protection of children from all forms of violence and discrimination (social rehabilitation, protection, elimination of worst forms of child labour and protection for children in conflict with the law); and

  - Improving institutional capacity on child protection (legislative harmonisation; building capacity of service providers; enhancing availability of data; improvement of coordination).

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[6] The current strategic planning system including the five-year medium term plans was introduced by Law No 25/2004 on National Development Planning and specified through Government Regulations No. 40/2006 and No 8 / 2008. The National Development Plans feed into annual work plans and annual budgets of government agencies.

[7] Overall, the RPJMN lists four cross-cutting policy directions: 1). Poverty Alleviation, 2) Global Climate Change, 3) Marine Development, and 4) Child Protection. These and other policy directions are described in Book II of the RPJMN.

Action Plans Covering Specific Issues

Strategic vision for a child protection system described in the framework law and the cross-cutting mid-term objectives outlined in the RPJMN 2010-2014 is supported by a range of more specific action programmes:

National Programme for Indonesian Children 2015 (PNBAI). First, in 2001-2002 the Government introduced a National Programme for Indonesian Children (*Program Nasional Bagi Anak Indonesia* or PNBAI) covering a period up to 2015. The Programme responded to the Government commitment to the UN 2001 initiative to build a World Fit for the Child (WFC).The programme built on the earlier approved Child Protection Act and included four key areas: health, education, HIV/AIDS and Child Protection. Each of these four areas was described in a separate sub-programme of action. One of the particular elements of the PNBAI 2015 has been a pilot project in several provinces to introduce the concept of child-friendly cities (including the cities of Jambi, Solo, Sidoarjo, Kutai Kertanaegara and Gorontalo).

In the Child Protection area, the PNBAI outlined five general priority areas: (1) Prevention of abuse, violence and exploitation of children; (2) legal protection for children; (3) recovery and social integration, including through community-based models; (4) strengthening coordination and cooperation, and (5) enhancing child participation.

However, the formulation of priorities within the PNBAI was problematic in several respects:

- The PNBAI describes child protection priorities within several sections which contain overlaps and are not always clearly specified and separated: the Purpose, the Targets, the Policy, the Strategy, and the Principal Activities for child protection. For example, improvement of legislative environment for child protection features in all these sections as a somewhat abstract idea (even within the list of targets and specific activities which include harmonisation and optimisation of current regulations).

- The specific program on child protection within the PNBAI in fact contained less detailed description of priorities in comparison to the overall document, thereby failing to offer concrete action points to key stakeholders;

- The formulation of priorities in the PNBAI lacked a "SMART" agenda of specific, measurable, attainable, relevant and time-bound goalposts;

- Some of the more palpable objectives were introduced in several sections of the PNBAI but were not sufficiently integrated and highlighted by these documents. These included:

  - Prioritisation of issues faced by children in the state of emergency and economic hardship;
  - Ensuring that within the justice system, offenders are consistently criminalised while children are treated as victims of the crime;
  - More community-based institutions involved in front line child protection work;

- Higher rates of birth registration, including remote communities, evacuation areas and parentless children;
- Development of an integrated information system for child protection (including mainstreaming child protection issues into surveys and census);
- Capacity building and advocacy among professionals involved in child protection to raise their skills and their understanding of the importance of children's rights;
- New services developed to expand current options for protection, rehabilitation and reintegration of children affected by abuse and violence,
- Empowering families to deal with employers to eliminate WFCL.

In 2007, the UNICEF Plus-5 progress review of the PNBAI acknowledged initial steps to implement this program, but noted that more consolidated political action would be needed for the country to achieve the program's vision *(UNICEF, 2007).* One of the biggest challenges in implementation of the PNBAI is that it lacks a legal basis.

In parallel to PNBAI, the Government runs several issue-based action plans. Five of these plans were identified by this assessment – which corresponds to the analysis by the most recent CRC Report by the Government listed ten National Action Plans prepared for implementation of Child Protection commitments *(Committee on the Rights of the Child, 2012).*

These action plans are described below.

1.The 2011-2014 National Action Plan on Human Rights.

This is the third action plan on Human Rights for Indonesia, which takes forward the agenda set by the previous (second) 2004-2009 Action Plan on Human Rights, albeit with a one year delay. The Preamble to this document explains that, as of 2011, the Indonesia National Commission on Human Rights assessed the situation in this area as still inadequate and many tasks from previous plans still unaccomplished, resulting from poor coordination, budget constraints and lack of concrete implementation guidelines for the relevant Government units (Article 6, Preamble). In view of this, the 2001 Action Plan covered a similar broad range of human rights issues: stronger institutions, ratifying international instruments, legal harmonisation, HR education, norms, standards, PR, monitoring. However, in comparison to the previous years, it attempted to assign responsibilities more specifically across the agencies and to better specify the tasks.

The third action plan on Human Rights included three priorities related to child protection:

- Setting up a Working Group on Children Issues in relation to protection of human rights (Annex II, Section 2) and a thematic group on Children's Right as one of the ten thematic groups (Annex II, Section 6);

- Specifying twelve international commitments which the Government resolved to endorse in during the period, most of which are strongly related to protecting children from abuse, violence and exploitation. Out of this list, four critical treaties have already been ratified during 2011-2012 (the two optional protocols to CRC, the Convention on the Protection of the Rights of Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities). As was discussed earlier, two other important treaties planned for endorsement – the Convention on the Status of Refugees, the Optional Protocol to the Convention against Torture - remain unsigned, and the Convention on Human Trafficking still awaits ratification.

- Broad commitment to continue human rights advocacy and education among Government executives, including TOT (Training of Trainers) programs, aimed at gradually transforming values and attitudes of the civil servants towards stronger appreciation of human rights agenda, approach and tools.

2.The 2002-2016 National Action Plan on the Worst Forms of Child Labor[8].

This Action Plan is focused on prevention and elimination of four major issues: (1) forced labour; (2) child involvement in prostitution and pornography; (3) child involvement in illicit activities including drug trafficking; and (4) child involvement in hazardous activities such as mining, diving or sale of explosives.

The Action Plan was divided into three stages, with the current final Stage III (2013-2022) devoted to institutionalization and mainstreaming of models, programs and policies designed and rolled-over in the previous stages. Given the significant time-span of the Action Plan (20 years), at the time of its introduction it proposed a relatively more detailed outline of the first stage (2002-2007) but remained very vague about the precise priorities for the two further stages (saying that they would be designed based on the results of the first years of implementation). Progress review for implementation of this stage undertaken in 2008 focused on the development of Phase II (2008-2012) and did not elaborate the Stage III priorities (NAC WFCL Secretariat , 2008). This assessment was not able to access further progress reviews of this Action Plan beyond Stage II.

The priorities established for Stage I were based on eliminating immediate core bottlenecks in fighting the WFCL: lack of data, poor awareness, weak coordination and lack of integrated approach across agencies. Respectively, the Plan described seven rather specific priorities including (Chapter III, sect. B):

- Research and documentation to complete robust data on the scope and nature of WFCL;

- A communication campaign to raise awareness on the subject;

- Development of practical models for elimination and prevention of WFCL, including guidelines for the involved partners;

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[8] Presidential Decree Number 59 of 2002 regarding National Action Plan for the Eradication of the Worst Forms of Work for the Children.

- Legislative changes including criminalization of involving children into WFCL, setting up appropriate definitions and mechanisms to implement anti-WFCL activities;
- Public awareness program including a system for individual complains;
- A training program at central and provincial level;
- Development of a program for reintegration of children freed from WFCL.

3. The National Action Plan on the Commercial Sexual Exploitation of Children[9]

This Action Plan was replaced – in line with the adoption of the anti-Trafficking Law in which a new NPA was adopted on Anti Trafficking and Sexual Exploitation against Children 2009 – 2014.

4. The 2005-2015 National Action Plan on Reproductive Health.

The Action Plan on Reproduction Health relates to Child Protection through its two major pillars: Adolescent Reproductive Health (Component 4) and Women Empowerment (Component 6). For each of these Components, the Plan lists a number strategic priorities, which are rather specific, actionable, and potentially measurable. The priorities are further deliberated into respective lists of planned action. The Plan also proposes monitoring targets for both Components, but these are few and do not comprehensively cover expected objectives.

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[9]   Presidential Decree Number 87 of 2002 regarding National Action Plan for the Eradication of Commercial Sexual Exploitation of Children.

Component	Strategic Priorities	Planned Actions	Monitoring Targets
Adolescent Reproductive Health	Adoption of guidance with emphasis on prevention of early marriage and premarital sex; Integrated coaching program; "Peer education" program for schools; Integrated Adolescent Healthcare Services scheme; Education program for schools and extra-curricular; Community-based services such as youth clubs	Provision of respective services to adolescents Focus on maternity aspects of reproductive adolescent health Needs based approach to service delivery	Prevalence of anemia in adolescents < 20%. Health care coverage for adolescents 85% in schools, 20% outside schools. General decrease in prevalence of adolescent problems.
Women Empowerment	Education and elimination of illiteracy among women; Stronger engagement of husbands; Economic opportunities for women; Gender awareness in the society and across the government; Development of information system on gender; Gender sensitive laws; Zero Tolerance Policy on violence against women.	Resolving social and economic issues Advocacy and outreach Cross-sector coordination Community empowerment Infrastructure Improved skills Research and development	Quality of life of women increased Gender issues mainstreamed at all levels and sectors of government Public and executive gender awareness raised All forms of violence against women eliminated

Figure 3.
Strategic and Issue-Based Planning Related to Child Protection: Timelines and Priorities

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Long-Term Development Plans (RPJPN)				Initiation of reforms and withstanding external shocks					Consolidation of reforms; ehnanced human resources; capacity building					Development based on achieved competitiveness and capacities					Acceleration of development based on competitive advantages					
Mid-Term Development Plans (RPJMN)									Child Protection - a cross-cutting policy direction (survival and development; protection; institutional capacity)															
National Action Programme for Indonesian Children 2015 (PNBAI)			Child Protection objectives: prevention of abuse, violence, exploitation; legal protection; recovery and social reintegration; stronger stakeholder coordination; enhanced child participation. Strategic issues: CCL; discrimination; trafficking; child labour; refugees; birth registration.																					
Action Plan on Human Rights				Stronger institutions, ratifying international instruments, HR, legal harmonisation, norms, education, standards, PR, monitoring.					Better coordination and division of responsibilites. Priorities similar.															
Action Plan on Elimination of WFCL			Stage I - Public awareness - Mapping - Specific types of WFCL				Stage II - Replication of models - Program development - Policy implementation		Stage III - Institutionalisation - Mainstreaming															
Action Plan on Commercial Sexual Exploitation									[do not have access to document]															
Action Plan on Reproductive Health				Adolescent Reproductive Health (guidance, education, community models) and Empowerment of Women (institutions, qualite of life, gender mainstreaming)																					
Action Plan on Trafficking of Women and Children									Early awareness and prevention, community engagement															

Effectiveness of most of these action plans is not yet fully evident and still needs to be comprehensively assessed. Alternative report by the National NGO Coalition for CRC Monitoring endorsed this list with the reservation that actual realisation of these actions will be conditional upon due coordination with the sub-national implementing authorities. The Alternative Report called for development of matching action plans at the local level, as well as for complementing the plans with respective institutional arrangements at all levels, such as respective duty clusters across government agencies *(Save the Children, 2010).*

Consistency of Policy Priorities Across Government Tiers

The central pillar of Indonesia's Reformasi movement was rapid and resolute Big Bang decentralization which was launched in 2001. It followed several decades of highly centralized public administration, including hierarchical systems of public service provision, administration and funding. Given the country's enormous diversity, it was highly welcomed and especially important in the areas such as health, education and social care, where developing and providing services as closely to the consumers and communities as possible may help to fundamentally increase their quality and accountability.

According to the decentralised system of responsibilities, responsibilities for child protection are shared between central and sub-national authorities. The 2004 Law on Autonomy provided considerable policy and legislative powers and responsibilities to sub-national governments, although other areas relevant to child protection remained a central level prerogative or an overlapping jurisdiction. One of the tools through which sub-national authorities can exercise their powers is approval of local regulations, widely referred to as *Perda (Peraturan Daerah* or "regional regulations"). The jurisdictions for policy making and legislative drafting are shared in the following way:

- **Social affairs, health and education: sub-national responsibility.** According to the current division of responsibilities (outlined in the Government Regulation No. 38, 2007), it is the mandatory responsibility of provincial and district governments to develop and implement social affair policies of their respective level and implement local social sector programs. Similar responsibilities were also granted to sub-national governments in the area of health and education.

- **Justice sector and religions issues: national responsibility.** At the same time, the central government retains exclusive power to regulate matters relating to foreign affairs, security, national fiscal matters, religion and the justice sector (urusan yustisi), including justice and immigration sector policies. Preservation of centralised authority over judicial issue is especially important for child protection in view of the juvenile justice policies which require accorded action from all tiers of authorities involved; it also has substantial ramifications for policies related to human trafficking. The central jurisdiction on the matters concerning religion is also an important feature of the current system given that – as will be discussed further – some of the sub-national initiatives

concerning child protection are closely related to the desire of the respective communities to protect religious rights of the children, albeit sometimes creating child protection risks, and the legal implications of these initiatives are debated.

- **Duplications.** The 2004 Law on Autonomy assigned policy responsibilities to various levels of government in a way which implied duplicating jurisdictions. While this Law gave local governments wide powers to draft legislation, it also preserved a power for the national government to approve laws on essentially any matters which were not explicitly listed in the 2004 Law as local jurisdiction (Article 10(3)). This may be seen as one of the reasons for continued difficulties in orchestrating a national response to some of the key complex issues in child protection. Many observers note that division of responsibilities between government tiers in Indonesia remains blurred *(World Bank, 2007).*

Decentralisation has been a challenging process for Indonesia, especially during its first years. The two biggest difficulties were, first of all, the low policy-making and administrative capacity at sub-national levels and, secondly, the need for comprehensive coordination of resulting initiatives and activities to ensure that policies of national scale are implemented consistently throughout the country. National and international observers agreed that during the first years after decentralisation, while important and sometimes strong and innovative laws were approved in some of the provinces, districts and cities, other local laws were of much more questionable quality and, overall, it was difficult to assess their overall number, which "added great bulk, complexity and uncertainty to Indonesia's legal system" *(Butt, 2010).*

In relation to child protection, this resulted in several risks and bottlenecks for effective nation-wide policy process:

- Inconsistencies across sub-national regulations and between sub-national and national regulations, obstructing coherent implementation of child protection policies throughout the country;

- Lack of clarity on legal standing of central level policy imperatives versus local regulations, leading to situations where absence of local by-laws is perceived as an alleged barrier in implementing national policies;

- Gaps and delays in the issuance of implementing regulations, jeopardising consistent delivery of policy imperatives across tiers of government.

Issues and Bottlenecks in Legislative Harmonisation Across Tiers of Government

In view of the risks of multiplying incoherent legislation, throughout the last decade, the Government ran a campaign to harmonise and consolidate legislation in all sectors and tiers of government. The two Laws on Regulation, introduced in 2004 and 2011, streamlined the legislating rules, trying

to ensure that despite the far-reaching regulatory autonomy of the local governments, the resulting legislative framework is coherent and proficient. Legislative harmonization also features very strongly in the strategic plans across agencies at all levels.

However, coordinating policy decisions has remained challenging, both across tiers of government and across sectors. The 2012 OECD review of Indonesia's regulatory reforms concluded that throughout the last decades and up until recently, sub-national regulations have often had poor quality and proliferated without necessarily contributing to the coordinated policy agenda *(OECD, 2012).*

It is essentially impossible to estimate the overall amount of sub-national regulations and to access them for analysis through any kind of centralised depository. In areas related to Child Protection, analysing the range and quality of respective sub-national regulations is highly challenging, given that (despite the legal requirement)sub-national laws are not always systemically registered with the national Government and that there is no publicly accessible central repository of such laws. Even in-depth analysis at sub-national level is not always capable to locate and consolidate all of the available local regulations.

- Assessment in 2010 concluded that estimating an overall amount of local regulations with any certainty has been impossible at the time *(Butt, 2010).* This difficulty is explicitly recognised in the 2010-2014 RPJMN which calls for wide-scale mapping of sub-national regulations, starting with the target of 20% of all regulations mapped and registered in the local information systems and expecting that by 2014 the mapping would cover 100% of all sub-national laws.

- The 2010 analysis quoted above reported that at the time of the writing, the World Bank was working on developing a database of sub-national regulations, but the current status of this project still has to be explored by this assessment.

- We should expect that there is a palpable amount of local regulations specifically dealing with child protection issues which are already in place throughout the country. For example,2012 UNICEF Project which tried to map child protection systems in six provinces in Indonesia assessed legal systems at respective provincial levels and discovered ranges of regulations from all six provinces, including some which were approved even earlier than the 2002 Child Protection Law (e.g. a regulation on protection of women and children approved by NTT province in 1998) *(UNICEF Indonesia, 2012).*

- Moreover, the 2012 UNICEF mapping of child protection systems in six provinces of Indonesia described how collecting and consolidating these already existing regulations is a challenge even for a field-based team. The mapping report explicitly stated that in the course of the assessment, provincial and district level "policies and regulations were not available or could not be found, and respondents or staff to whom the document was asked did not have the authority to provide it"*(UNICEF Indonesia, 2012).*

Existing sampled analysis points at significant gaps and inconsistencies. Existing studies of legal frameworks at sub-national level indicate that many of the existing local regulations may contain provisions which are not compliant or even explicitly contradict the country's overall political intent in the child protection area:

- **UNICEF-Bappenas Mapping identified at least some cases when sub-national regulations contradicted national level legislation.** The example in question was the Regulation of the Governor of East Nusa Tenggara (NTT) which established a standard for local orphanages which contradicted the new regulation issued on the same subject by the Ministry of Social Affairs[10]*(UNICEF Indonesia, 2012)*. As will be discussed further, it is notable that the contradiction relates to the Ministerial regulation, since Ministerial regulations have been removed from the explicit legal hierarchy and do not feature there at the moment *(OECD, 2012).*

- **Other studies show that many more perda may be contradicting national commitments in the area of human rights.** Even more alarmingly, other studies refer to sub-national regulations which contain policy imperatives which are incompatible with general child protection commitments and sometimes described as such which fundamentally breach the principles of human rights. In June 2013, Indonesian National Human Rights Commission *(Komnas HAM)* stated that sub-national regulations hadendorsed some of the most severe observed incidences of corporal pubishment in the country, mainly in Nangroe Aceh Durassalam and Bulukumba in South Sulawesi. The Komnas HAM stated that these cases of punishment were based on *Qanun* in Aceh and Local Regulation (Perda) in Bulukumba *(Komnas HAM, 2013).*

- The 2010 Alternative CRC report lists numerous other local regulations which are in sharp conflict with the country's human rights and child protection agenda.The report states that, with few exceptions, most local regulations express the intention of local governments "to introduce regulations that enforce moral values, many of which are incompatible with the principles of the CRC" or even the country's own Constitution (Save the Children, 2010).

There are several mechanisms in Indonesia's regulatory system which are meant to ensure that legislative decisions at all levels are coherent and consistent with the whole-of-government policies:

- **Legal hierarchy.** The policy process is guided by a range of laws and regulations, which follow a strictly defined hierarchy. The hierarchy was established by the 2004 Law on Regulation and specified by the 2011 Law on Regulation, which established a higher standing for presidential and national government laws compared to sub-national laws, thereby opening a way to developing a whole-of-government policy process *(see Table 1)*. Legally speaking, the hierarchy means that any law which contradicts another law higher in the hierarchy is susceptible to being overridden by this higher level law.

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[10] Regulation of Minister of Social Affairs Kep/Huk/2011 on Standard of Child Social Welfare Institutions

- **Rules for legislative drafting and reviews.** Moreover, where sub-national regulations do not comply with a nation-wide regulatory standard or agreed development strategy, the current rules established by the 2004 and 2011 Laws on Regulations offer tools for the national government to intervene and repair these conflicts.

  - First, the laws established a transparent due process for legislative drafting, including at the local level. For example, the legislation requires laws to be preceded by ex ante assessments of their impact and to be supported by background academic papers to be used for achieving policy consensus before the regulations are introduced.

  - Secondly, the legislation requires the national government to run local regulations though a bureaucratic review to identify laws which are not up to standard or contradict legal hierarchy and national policies. The reviews can take place after the introduction of the local law, based on two criteria: whether the law is consistent with other regulations up the hierarchy and whether it is in line with "public interest" (kepentingan umum) *(Butt, 2010).* Bureaucratic reviews are regulated by the Ministerial Regulation No 53/2007. The reviews are funded by the Ministry of Home Affairs (MOHA) although some of these tasks are delegated to provincial governors.

  - Thirdly, there is an option of Judicial Review by the national Supreme Court (*Mahkamah Agung* or MA). The Supreme Court is an independent body which can accept complains from local legislators and executors against MOHA decisions to revoke their laws, but it also accepts complains from regular citizens against local *Perda*.

  - Finally, the Constitutional Court may conduct judicial review of regulations with reference to the Constitution. A successful example of this mechanism in practice is the recent review of the Population Administration Law which revoke the article on children born out of wedlock. This assessment did not investigate whether Constitutional Court reviews can cover local perda as well as the national law.

- **Policy coherence based on coordination of mid-term development plans.** Nation-wide policy initiatives are orchestrated through the rolling process of developing, reviewing, and implementing the National Medium-Term Development Plan (RPJMN). The RPJMN is supposed to be a platform for the national ministries and for the sub-national governments to design their own medium-term strategic plans. It is a highly consultative process, where local governments can voice their concerns and suggestions. The RPJMN is a Presidential Regulation, enacted by the President and having a higher legal standing than sub-national laws (provincial or regency/city). Moreover, the 2008 Guideline for Protection of Children (issued centrally by the MoWECP) requested all local governments to incorporate Child Protection policies, programs and activities into their long-term and mid-term development plans

(RJPDs and RPKMDs), as well as into the strategic plans and budgets of local government line units (RKPDs and RKA-SKPDs).

At the same time, these in-built mechanisms seem to suffer from a range of weaknesses. The 2010 Alternative CRC report stated that, in its opinion, "it is virtually impossible to review local regulations that do not comply with the principles and provisions of the CRC" and that no current mechanism is capable to manage this task *(Save the Children, 2010)*. The nature of these continued problems also explains, at least partially, why legislative harmonisation remains an elusive task for the child protection stakeholders.

- **The extent to which RPJMN-inspired child protection objectives were incorporated into sub-national development plans is unclear.** There seems to be no data available to check how many local government units followed through with the MoWECP request to incorporate child protection policies into their long- and medium-term strategic plans based on the RPJMN platform. The alternative CRC review by the NGO coalition stated that actual implementation of the MoWECP Guidelines has been highly problematic given that matters related to public services essentially belong to the responsibility of local governments *(Save the Children, 2010).*

- **There is no effective lead agency on decentralisation issues.** Within the current structure of the national Government, decentralisation issues are fragmented across several stakeholders and there is no single lead agency with sufficient institutional powers to voice decentralisation policies, either to the sub-national or to international partners. Key roles are played by the two ministries – MOHA and MoF – which belong, respectively, to the two different coordinating ministries and do not always naturally cooperate. The agency which was specifically created to oversee decentralisation issues – the Regional Autonomy Advisory Council (*Dewan Pertimbangan Otonomi Daerah*, or DPOD)–belongs to the hierarchy of the MOHA (and is chaired by this Ministry), which did not allow it to assume a whole-of-government coordinating function.

- **Policy guidelines produced by sector ministries are weakened by governors subordination to MOHA.** In addition to the lack of an overall lead champion on decentralisation, policy imperatives produced by individual sector Ministries are also not always effectively impacting sub-national governments, which report to MOHA. The alternative CRC report noted that one complication in orchestrating sub-national policy responses in child protection is the fact the governors, who coordinate implementation of decentralised functions by district heads and mayors, report to the Minister of Home Affairs and are less accountable to other ministries such as the MoWECP *(Save the Children, 2010).*

- **The current mechanism for bureaucratic reviews is highly flawed and essentially ineffective, especially in the matters which concern human rights.**

  - **The amount of local regulations requiring higher level review is disproportionate to current capacities of MOHA and the provinces.** Existing studies consider that, at least as of 2010, the central bodies responsible for the review process simply did not have enough capacity for a quality analysis of the massive amount of local regulations that they needed to process. This lack of capacity has been a factor both within the MOHA and at the provincial level *(Butt, 2010).* Moreover, as was discussed previously, a lot of the perda simply do not reach the central government. Local authorities are supposed to register their legislation with the national government but this requirement is not always fulfilled. Besides, according to some reports, local governments are sometimes refusing to revoke the regulations which were deemed inappropriate by the central government *(Butt, 2010).*

  - **Reviews tend to focus on economic matters rather than human rights and social policy issues.** Importantly, researchers who analysed the content of the flow of perda reviewed by the MOHA concluded that since the ministry is only capable to review a small percentage of all local regulations, it tends to focus on those perda which deal with local taxes or other economic issues and pays very poor attention on other kinds of local regulations. Out of the sample of 500 decisions to invalidate local laws, overwhelming majority dealt with revenue raising decisions by local governments, and most of the rest addressed economic issues such as licensing, establishment of cooperatives etc. Moreover, the analysis within bureaucratic reviews usually focused on compliance with legal hierarchy and not with the contribution of local laws to "public order" (this argument was not used in any of the invalidation decisions in the sample) *(Butt, 2010).*

- **Judicial reviews by the Supreme Court are also a weak tool.**

  - First, they operate under a 180-day limitation period, which means that if disputing parties are not initially aware of the problematic local regulation or if it is temporarily withheld, they very quickly lose the opportunity to appeal.

  - Secondly, the Supreme Court also tends to focus on economic and taxation matters.

  - But most worryingly, in non-economic matters, decisions by the Supreme Court tend to favour the local authority to issue the perda: such decisions prevailed in all non-economic cases reviewed by the study and they were made without argumentation. The judgments issued on these cases did not contain any reference to the content of the perda which were upheld in favour of local authorities, often just stating that the regulation was within the powers of local authorities.

- To illustrate the problems outlined above, the 2010 paper by Simon Butt describes a case from the Tangerang City, which established a local regulation to combat prostitution (City *Perda No 8/2005*). Women from the city filed a complaint to the Supreme Court stating that the law was discriminating and dangerous. The clauses of this law endorsed arrests of any females which looked "suspicious or appeared to be prostitutes". Some of the resulting arrests included pregnant mothers of many children, such as one described case of Lilis Lindawati who was detained for travelling on her own to receive her payment from an employer near Jakarta international airport and wore make-up. The Supreme Court has upheld the regulation without any reference to the argument of the complaint (including alleged contradiction of this Perda to Indonesia's Criminal Code and other higher level laws). While this case has only indirect relevance to child protection risks as such, it is illustrative of the inability of the Supreme Court to thoroughly and objectively consider problematic local regulations dealing with human rights issues *(Butt, 2010).*

- **Legal harmonisation efforts are often focused on quantitative targets with less attention to improving overall quality of legislation.** OECD believes that one of the reasons why legislative harmonisation efforts were not as successful as hoped was the fact that the objective of making laws more consistent are formulated within the national development plans and strategic plans at ministerial and sub-national level in terms of quantitative targets rather than on trying to maximize the impact and relevance of the resulting set of regulations. For example, the success indicator selected in the 2010-2014 RPJMN for "Acceleration of harmonisation and synchronisation of laws and regulations between the national and sub-national governments" is the "Number of sub-national regulations reviewed by the central government" (with annual targets ranging from 2500 to 9000). In other words, the strategy for legal harmonisation does not explicitly require a comprehensive process for assessing appropriateness of regulations as policy instruments and their relevance within the national policy agenda.

- **Efforts to improve legal coordination do not contain effective incentives for all partners to cooperate.** While targets for improved coordination with local governments are formulated as strategic goals, it is unclear what mechanisms apart from administrative pressure are being employed to stimulate improvement. For example, as of 2010, failure of local authorities to submit their newly approved perda to national regulators was not subject to any sanctions *(Butt, 2010).*

Table 1.
Hierarchy of Laws and Regulations as of 2012
as per The Laws No 10/2004 and 12/2011 (OECD)

English	Abbreviation	Bahasa Indonesia
1945 Constitution	UUD 1945	Undang-Undang Dasar 1945
People's Consultative Assembly Decision	KepMPR	Ketetapan Majelis Permusya-waratan Rakyat
Explicitly defined in the legal hierarchy outlined in Law No. 12/2011		
Law	UU	Undang-Undang
Government Regulation in lieu of Law	PerPPU	Peraturan Pemerintahan Pengganti Undang- Undang
Government Regulation	PP	Peratuan Pemerintah
Presidential Regulation	PerPres	Peraturan Presiden
Provincial Regulation	Perda Provinsi	Peraturan Daerah Provinsi
Regency/City Regulation	Perda Kabupaten/ Kota	Peraturan Daerah Kabupatan/ Kota
Not explicitly defined in the legal hierarchy outlined in Law No. 12/2011		
Presidential Decree	KepPres	Keputusan Presiden
Presidential Instruction	InPres	Instruksi Presiden
Ministerial Regulation	PerMen	Peraturan Menteri
Ministerial Decree	KepMen	Keputusan Menteri
Ministerial Instruction	InMen	Instruksi Menteri
Joint Ministerial Letter	SKBMenteri	Surat Keputusan Bersama Menteri
Director General Regula-tion	PerDirJen	Peraturan Direktur Jenderal
Director General Decree	KDirJen	Keputusan Direktur Jenderal

Legislative Hierarchy and The Whole-of-Government Political Intent

- **Absence of local regulations in child protection area is frequently quoted as a policy obstacle, but it is not clear whether these gaps are actually critical as such.**

   - One of the core issues raised at the interviews and in some of the studies (such as the 2012 UNICEF Mapping) is the lack of sufficient regulations at the local level to duly implement child protection initiatives. Absence of local laws is sometimes interpreted as a formal reason for representatives of all tiers to avoid or postpone funding, implementing and otherwise supporting nation-wide child protection initiatives. For example, the UNICEF Mapping points out that most of the local regulations they have identified focus on tertiary services in child protection, and there are essentially no perda which deal with primary and secondary prevention and inter-sector links (with health and education) *(UNICEF Indonesia, 2012).*

- While sub-national governments have the right to approve local regulations, they do not always have to do it in order to pursue child protection policies. The law requires that sub-national governments approve local regulations only in to support the local revenue raising initiatives, i.e. introduce and regulate local taxes. In the absence of specific local regulations on particular child protection issues, the national laws combined with policy intent expressed in the sub-national and national development plans seems to provide sufficient imperative for all tiers of government to duly co-operate in the implementation of respective programs.

- **At the same time, gaps do exist in local implementation capacities, including weak implementing regulations, unclear mandates and poor consultations.** While political decisions in child protection area might not necessarily require additional sub-national policy legislation, there seem to be significant gaps in local mechanisms for actual implementation of such policy commitments.

  - Overall, Indonesia's legal system suffers from weak capacity to support policy decisions with implementing or subordinate regulations. OECD describes substantial delays in formulating implementing regulations to support laws introduced at national and sub-national levels, which jeopardises consistent delivery of a policy messages across tiers of government *(OECD, 2012)*. The 2012 UNICEF mapping confirmed this gap, stating that not all norms related to child protection are equipped with implementation regulations at the local level. "For example, in Aceh, only two out of eight implementing regulations have been approved". Where implementing regulations do exist, they are usually focused on very specific cases or interventions, and almost never address prevention and promotion activities *(UNICEF Indonesia, 2012)*.

  - Current sets of sub-national laws related to child protection seem to be biased towards provincial perda focused on coordination, with less attention on clear identification of particular implementation mandates, especially at sub-provincial levels which are the primary front-line providers of social services. Most of the regulations analysed by the UNICEF Mapping were originating from the provincial level (only some of the district level regulations were identified). At the same time, the primary responsibility of the provincial level within the child protection system is limited to coordination and regional policy development and does not include front-line provision of services. Respectively, the regulations covered by the Mapping have lacked clear description of mandates and guidelines for interventions but mostly contained regional provisions on coordination and supervision on particular issues (e.g. to support the provision of integrated services to intervene in cases of domestic violence, prevent human trafficking or eliminate WFCL). Sometimes these provincial regulations addressed coordination and supervision objectives by establishing a respective regional authority (such as, e.g., the Child Protection Commissions in East Java and South Sulawesi) *(UNICEF Indonesia, 2012)*.

- Existing regulations – national and sub-national – are not supported with sufficient consultations and promotion to ensure strong implementation. Consultations across stakeholders and with the public feature very strongly in Indonesia's legislative commitments. However, in reality, effective consultations have been a challenge.

- Starting from the basic details, the process of legislative drafting at all levels is described as not conducive for effective public consultations: annual legislative programmes do not have critical information such as proposed timetable for discussions and contact details of responsible officials. Local governments (or even central agencies) are not required to maintain clear records of their public consultations, which makes it difficult to check or assess their quality; formal guidelines for such consultations are lacking *(OECD, 2012)*.

- According to some analysis, the current communication with the public on the substance of the laws is described as "socialisation" of the laws (that is, informing about their existence) rather than seeking meaningful inputs from the constituency(Butt, 2010). At the same time, other experts believe that while most consultations are done via socialisation, the consultative process is usually more complex, involving discussions at the stage of development of academic papers for the draft legislation and then via public hearings before the drafts are endorsed. In particular, consultations are usually much more intensive within the pilot initiatives to develop local regulations on child protection: the discussion involve technical inputs from expert teams and include NGOs, Women parliament, media. Establishing the actual tendency and whether such inclusive experiences are wide-spread would require additional investigation.

- Whilethe central government is required to disseminate national regulations, there is no comprehensive centralised legislative database, which creates barriers of access both for the officials and for the public.

- As a result of all these flaws, the level of knowledge and understanding of both sub-national and national child protection laws at the local level is often very weak. The 2012 UNICEF mapping found that even for Juvenile Justice – which is the jurisdiction of the central government and does not require sub-national legislative follow up – some local officials were simply unaware about the content of the Law on Juvenile Justice and about respective national policies. "Socialisation" of other policies was also weak, e.g. as was found for Child Protection Law in East Java *(UNICEF Indonesia, 2012)*.

Awareness of Policy Priorities by Key Partners and Staff

Indirect evidence suggests that knowledge of priorities is very weak, although it should be verified via specific surveys. The only way to accurately estimate the level of awareness on policy priorities across the system is through a respective survey. Unfortunately, running such survey was not possible within this assessment. In the absence of precise data, this sub-domain is assessed based on the analysis of policy communication across agencies and levels of government described in the previous section. As was mentioned above, existing reports point at fundamental weaknesses in engaging officials and the general public into meaningful consultations over policy priorities and the content of the approved legislation, especially at sub-national level. It is also important to reiterate the findings of the 2012 UNICEF assessment which discovered complete lack of knowledge on the basic principles of the current national policies in Juvenile Justice in some of the pilot provinces.

INDICATOR 1.2.
COHERENT LEGAL SPECIFICATION OF KEY CONCEPTS

The country's legislative environment is characterised by the following:	C (1.5)
- The country's Constitution contains provisions on child rights, consistent with CRC and other global and regional covenants and instruments, allowing application of all their provisions and principles;	Yes, restricted (0.75)
- Legislation is drafted and regularly revised based on ex ante whole-of-government consultations on key controversial issues to reach political consensus and bridge sector-specific regulatory agendas. There is a clear mechanism to administer such policy dialogue.	No, extended (0.25)
- National legislature has sufficient analytical support and capacity to follow child protection policy initiatives and to ensure approval of appropriate national laws;	No, extended (0.25)

Constitutional Provisions

Reflection of children's rights in Indonesian Constitution has improved but remains limited. Constitutional amendments during the last decade have fundamentally expanded the legislative basis for protection of human rights in Indonesia. However, reflection of child rights in Indonesia's Constitution remains limited. In fact, these remaining limitations have been the subject of particular concern in the discussions on Indonesia's CRC compliance, representing one of the core barriers for the implementation of the Convention.

- **On the one hand, the country's Constitution sets out strong and clear provisions for the protection of children's rights and for child protection in particular.**

  - Article 28B, Clause 2, directly states that "Every child has the right to survive, grow up and develop, as well as be protected against discrimination and violence"[11] .

  - Moreover, a set of other Articles in the Constitution asserts a range of additional legal commitments, which contribute to realisation of the children's right for protection. In particular, other provisions within Chapter XA "Human Rights" establish broader principles for the protection of human rights, such as Article 28G (which states that "Every person shall have the right to protection of his/herself, family, honour, dignity, and property, and shall have the right to feel secure against and receive protection from the threat of fear to do or not do something that is a human right. Every person shall have the right to be free from torture or inhuman and degrading treatment (…).") and Article 28I (which states that "The rights to life, freedom from torture, (…), freedom from enslavement (…) are all human rights that cannot be limited under any circumstances. Every person shall have the right to be free from discriminative treatment based upon any grounds whatsoever and shall have the right to protection from such discriminative treatment. (…) The Protection, advancement, upholding and fulfilment of human rights are the responsibility of the state, especially the government."

  - Furthermore, the Constitution additionally describes the State's obligations in the area of social security and equity, including the obligation to provide respective public social services, which has strong implications for Child Protection. First, Article 28H lists core rights in this area, which are recognised and protected by the law. It states that "Every person shall have the right to live in physical and spiritual prosperity, to have a home and to enjoy a good and healthy environment; Every person shall have the right to receive facilitation and special treatment to have the same opportunity and benefit in order to achieve equality and fairness; Every person shall have the right to social security in order to develop oneself fully as a dignified human being". Secondly, Article 34 describes the role of the State in protecting these rights. It states that "Impoverished persons and abandoned children shall be taken care of by the State; the State shall develop a system of social security for all of the people and shall empower the inadequate and underprivileged in society in accordance with human dignity; and the State shall have the obligation to provide sufficient medical and public service facilities".

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[11] This and further references quote the 1945 Constitution of the Republic of Indonesia as amended by the First Amendment of 1999, the Second Amendment of 2000, the Third Amendment of 2001 and the Fourth Amendment of 2002 (Government of Indonesia, 1945).

- **This current reading of constitutional provisions reflects considerable progress since the late 1990s.** According to the 2010 Study on Child Poverty and Disparities in Indonesia, the original version of the 1945 Constitution interpreted Child Protection very narrowly, focusing entirely on poverty reduction and social security (Article 34). However, the 2002 Constitutional Amendment signified a shift towards more holistic view on Child Protection that emerged at the background of massive democratisation and decentralisation reform process. The Amendment added provisions covering broader human rights and highlighted additional specific risks faced by the children such as the risks of discrimination and violence (Bappenas, SMERU, UNICEF, 2010).

- **At the same time, the coverage of children's rights in the Constitution is not complete and is subject to a range of particular limitations.** For example, according to the analysis by the National NGO Coalition for Child Rights Monitoring, the Constitution does not recognise some of the core principles of the CRC, such as the right of the child to be heard and to have their opinions respected and the best interest of the child (which is very significant, e.g., in matters related to selection of alternative care for the children). The 2010 Review Report on the CRC Implementation in Indonesia in 1997-2009 states that these Constitutional limitations currently represent a major obstacle for applying CRC principles in Indonesia. Initial ratification of the CRC by Indonesia 1990 was done with several reservations. These reservations included two statements: (1) That ratification of the CRC does cover obligations going beyond the Constitutional limits or rights which are not prescribed by the Constitution, and (2) acceptance of CRC Articles 1, 14, 16, 17, 21, 22 and 29 only within Constitutional limits. In 2005, the Government of Indonesia decided to withdraw the statement which listed CRC articles which should have been previously applied only within Constitutional limits. However, the first statement remained effective, stating that the CRC is only applicable to those rights which are directly prescribed by the Constitutional provisions. In the opinion of the National NGO Coalition for Child Rights Monitoring, this remaining reservation represents a substantial barrier to full implementation of CRC principles in Indonesia *(Save the Children, 2010).*

Ex-ante Policy Dialogue on Conflicting Issues

A range of structures were set up to orchestrate policy consensus. As was mentioned earlier, regulatory reform has been high on the list of Government's priorities in recent years. This task features strongly in most strategic plans and involves a range of agencies at all levels and is supported by the institutional arrangements described below.

- Core responsibility for development of policies and respective legislation lays with the respective sector ministries. In view of this task, the ministries are supported by arms-length research centres as well as internal units for policy research and development *(badan penelitian dan pengebangan)* and for policy harmonisation *(pusat analisas dan harmonisasi kebijakan).*

- The Government includes three coordinating ministries which oversee coordinated implementation of national development plans *(see Table 2)*. The bulk of child protection policies belong to the portfolio of the Co-ordinating Ministry for Social Welfare. However, important functions are also covered by the two other co-ordinating ministries. The Co-ordinating Ministry for Politics, Law and Security is in charge of coordination with the MOHA, the Ministry of Law and Human Rights, the Ministry of Communication and Information, and the National Police Headquarters. Finally, the Co-ordinating Ministry of Economic Affairs covers such critical stakeholders as the Bappenas and the Ministry of Finance.

- *Bappenas* (National Development Planning Agency) has taken up the responsibility for ex ante and ex post analysis of approved legislation. This agency includes a Directorate for Analysis of Laws and Regulations and has adopted a specific model for regulatory analysis of proposed draft to ensure their quality and coherence.

- Several agencies within the Government have the right of return for the legislative drafts which they find inappropriate (the State and Cabinet Secretariats, all the co-ordinating ministries, the *Bappenas*, the MOHA and the Ministry of Finance).

There are also specific tools and mechanisms used by the Government to ensure that conflicting agendas are coordinated before the laws are approved:

- The 2011 Law on Regulations introduced a range of innovations into the legislative drafting process including a requirement for advance planning of regulatory work and, importantly, mandatory academic studies as inputs into legislative proposals and involvement of external researchers into the legal drafting process. In many ways, academic studies play the role of "white papers" which are supposed to consolidate opinions and produce evidence-based consensual recommendations on the proposed policies.

- As was previously mentioned, the legislative process includes multi-layers consultations, starting from those run in the process of developing and reviewing national development plans, including options for agencies to provide inputs to further laws, and also options for public consultations. This latter option for public consultations is especially important for the challenge of developing a broad political consensus. It was established as an opportunity by the Law 12/2011 as the right for the public to contribute to draft laws through public hearings and discussion, and was made obligatory for any primary legislation.

Table 2.
Portfolios of The Indonesian Co-ordinating Ministries (OECD)

Co-ordinating Ministry of Economic Affairs	Co-ordinating Ministry of Politics, Law and Security	Co-ordinating Ministry for Social Welfare
Ministry of Agriculture	Ministry of Home Affairs	Ministry of Health
Ministry of Co-operatives and SME	Ministry of Law and Human Rights	Ministry of National Education
Ministry of Development for Remote Areas	Ministry of Foreign Affairs	Ministry of Social Affairs
Ministry of Energy and NaturalResources	Ministry of Defence	Ministry of Religion
Ministry of Finance	Ministry of Communication andInformation	Ministry of Culture and Tourism
Ministry of Forestry	Ministry of State Administrative Reform	Ministry of the Environment
Ministry of Industry	National Police Headquarters	Ministry of Women's Empowerment andChild Protection
Ministry of Manpower andTransmigration	National Armed Forces Headquarters	Ministry of Public Housing
Ministry of Maritime Affairs andFisheries	Attorney General	Ministry of Youth Affairs and Sports
Ministry of Public Works	National Intelligence Agency	
Ministry of Research and Technology	National Signals Agency	
Ministry of State-Owned Enterprises	Republic of Indonesia Maritime Security	
Ministry of Tourism and Creative Economy	Co-ordination Agency	
Ministry of Trade		
Ministry of Transport		
Capital Investment Co-ordination Board		
National Development Planning Agency(Bappenas)		
National Land Agency		

But with all these arrangements in place,actual policy dialogue has remained difficult in most areas including child protection. This led to numerous legislative inconsistencies, such as the definition of minimum marriage age and other key specifications, as will be discussed further in this section.Existing literature as well as the FGDs conducted by this assessment show that compromising on the conflicting agendas prior to developing policies and approving respective legislation is one of the biggest regulatory challenges in child protection policy process at the moment.

- The role of coordinating ministries seems to have declined in the recent years, with some papers describing them as "no longer playing an effective leadership role" *(Winters, 2010).*

- Sector-level harmonisation targets and plans are often narrowly focused on the needs and plans of respective specific sectors, rather than assessment of the appropriateness of new legislation against the whole-of-government commitments and the relative public value of new legislative drafts. Moreover, the research and legal drafting units within the ministries are often underfunded and underdeveloped, attracting least qualified staff and not having sufficient capacity *(OECD, 2012).*

- Ministerial regulations are not explicitly defined in the legal hierarchy, which creates ambiguities in the legal drafting process and in promoting resulting policies across other agencies and sub-national governments;

- While most agencies have strong roles and leverages in the legal drafting process, there is no one agency responsible for legislative co-ordination as such. While Bappenas produce recommendations concerning legislative harmonisation, their views are not automatically integrated into the decision making at the level of other agencies.

- Academic papers are highly important but also suffer from weaknesses. Regulatory review by the OECD concluded that academic papers often have weak empirical basis, are not systemically made publicly available (which impacts quality), and are sometimes treated as a formality rather than a viable instrument. Respectively, recommendations of these papers are not always integrated into further legislative drafts *(OECD, 2012).*

- As was already mentioned, despite the requirements for consultations, their actual quality is often questionable. This is explained primarily by lack of clear guidelines on running such consultations and lack of requirement for transparent records of the consultations at all levels.

> *"As we know, the government laws are not in harmony… The law is essentially a social contract that contains a decision, a deal. However, policy makers in Indonesia are spread across different agencies, and their provisions are only partially reflected, so there is always a conflict there. This is what makes the inconsistency and irrationality in the documents which become law. (…) Maybe we need a neutral body to assist in facilitating this dialogue, because at the moment coordination is only at the level of individual sectors and is dictated by sector interests".(FGD member)*

Capacity of National Legislature

The role of the legislature in Indonesia has fundamentally expanded in the last 15 years. One of the core pillars of the post-1998 democratisation process was the fundamental transformation of the Indonesia's highest legislative body – the People's Consultative Assembly (MPR). After years of largely symbolical function, it was restored as a major player in the policy making process with a new structure and significantly expanded powers. At the moment, the People's Consultative Assembly consists of two houses: the lower house - the People's Representative Council (DPR) – is responsible for legislative decisions and oversight over the executive branch, while the upper house – the Regional Representative Council (DPD), created in 2001 –is responsible for regulating relations between tiers of government, including fiscal and territorial issues.

However, while the role of the legislature increased dramatically, it found it difficult to duly respond to the growing legislative duties. Some observers believe that the lower house (DPR) was largely focused on institutional and oversight concerns, while passing of legislation received less attention. Capacity constraints within the legislative authorities are quoted as a significant factor *(OECD, 2012)*.

The lower parliamentary house has some sources of professional support, but they are in chronic deficit, especially in terms of internal staff. The analytical support available to the members of the lower house, the People's Representative Council *(DPR)*, consists of the personal assistants to MPs *(asisten pribadi)*, the professional staff of political factions *(staf ahli fraksi)*, specialised staff of the commissions *(staff ahli),* and the staff of the DPR Secretariat. There are also external support structures whose support could be commissioned either informally or formally, including individual researchers, thinktanks, consultancies and lobby groups. OECD review states that accessing this kind of external support has been increasingly difficult for the DPR staff and their demand for internal analysis is growing. However, the current capacity of these internal specialists is limited. Most of them are base level civil servants, frequent rotations do not allow them to gain sufficient insights. Most importantly, however, these technical specialists do not report directly to the parliamentary structures and instead are subordinated to external academic units such as research institutes, which makes their inputs excessively academic and less relevant to the practical issues of the legislative process. The recently introduced short-term posts of technical specialists opened an opportunity for the Parliament to attract more senior and qualified staff, but these posts turned out vulnerable to politisation and difficult to utilise effectively because of their senior status and multiple professional commitments *(OECD, 2012)*.

Consistency of Child Protection Legal Definitions

Active development of Child Protection legal frameworks during the last decade led to gradual refinement of key definitions and approximation of the national legislation to the requirements of the CRC and related covenants. At the same time, considerable gaps in legal interpretation of Child Protection still remain. As was discussed earlier, this study is based on analysis of legislative developments as contained in the CRC compliance assessments during 2004-2010 by the Government, civil society, and the Committee for the Rights of the Child. Already in 2004, the Committee welcomed Indonesia's progress in approving key legal concepts for Child Protection, stating that it was "greatly encouraged by the on-going democratisation process and the inclusion of human rights issues, including the human rights of children, in laws and policies". However, to this day, the above listed documents also reflect a range of issues which have been repeatedly raised in relation to protection of Children's Rights, but also actions by the Government in trying to address them.

- **Age limits of children: discrimination and lack of consistency.** In 2004, the Committee on the Rights of the Children concluded that Indonesian legislation suffered from inconsistencies across the various definitions of when someone could be called a child, as well as discriminative treatment of age limits between boys and girls. The Third and Fourth CRC Periodic Report provided one of the definitions of children, contained in the Child Protection At (No. 23/2002), which states that a child is "every human being under the age of 18, including those still in the womb". However, the alternative report by the NGOs revealed that, in fact, this definition coexists with several other conflicting and discriminating definitions.

  - For example, the Law on Human Rights (No. 39/1999) defines a child as "human beings below the age of 18 years *who has not married yet,* including a child in the womb if it concerns its interest". This implies that children who get married before 18 lose their child status and are deprived of their rights.

  - Moreover, the minimum age when children can get married is regulated in a way which not only discriminates between girls and boys, but also creates opportunities to arrange child marriages at almost any age. The Law on Marriage (No. 1/1974) defines minimum age for marriage as 19 years for men and 16 years for women. But it also allows parents to request dispensation for earlier marriages, without any age limits. The alternative CRC report describes numerous attempts to amend the 1974 law, which have been unsuccessful because of the complexity of the views, religious beliefs and social norms related to marriage.

- **Minimum age for consented intercourse.** Indonesian legislation contains several definitions of the minimum age for sexual activity. For girls, this limit is 12 years, as specified in the Criminal Code, and 16 years, as specified in the Law on Marriage (No 1./1974). This problem has been registered during the previous consideration of the CRC Period report and is still not resolved.

- **Definitions of "rape" and "violence".** The Criminal Code and the Domestic Violence Act do not clearly and consistently define these concepts, are not gender-neutral, focus on application of force (rather than absence of consent and violation of the person's right for sexual autonomy). Moreover, while the Criminal Code does not criminalise marital rape, the Domestic Violence Code only covers girls and women from formally married families *(Amnesty International, 2012).*

- **Minimum age for employment.** The Manpower Act (No. 13/2003) contains loopholes for potential employment of children, including for harmful and dangerous works. The Act allows employing children aged 13-15 for light works "which do not hamper their physical, mental and social development" but without providing any definition of what represents such light works. It also allows ample exemptions from regulated requirements for children employed in family enterprises. Finally, the Act does not contain any provisions whatsoever on employed children aged 16-17 years *(Save the Children, 2010).*

- **Minimum age of criminal responsibility.** At the moment of collecting data for this report, Indonesia's Act of Juvenile Court (No 3. / 1997) established the minimum age for criminal responsibility at 8 years of age, and even for children below 8 years of age it allowed examination by Investigating Officers with potential subsequent measures such as entrusting the child to the Ministry of Social Affairs (Save the Children, 2010). Such low age of criminal responsibility was noted as a serious concern in 2004 and is still not resolved. However, it was expected that the minimum age of criminal responsibility would be raised to 12 years in July 2014.

- **Minimum age for alcohol consumption.** At the moment, the Criminal Law Code implicitly defines minimum age for alcohol consumption at 16, rather than 18 years of age, as would be compliant with the definition of child age limits within the Child Protection Act *(Save the Children, 2010).*

- **Prohibition of corporal punishment.** In 2004, the Committee on the Rights of the Child voiced deep concern about the widespread of corporal punishment and the fact that it was accepted not only culturally but also legislatively. The latest periodic CRC report by the Government described various measures to prohibit physical punishment of children at home and in schools, but admitted that this objective is still surrounded with challenges including established practices of imposing discipline, authoritarian patterns of raising children, and parents' perception that children are their property. At the same time, the alternative CRC report by the National NGO Coalition showed how continuing application of corporal punishment is linked not only to cultural context but also to pervasive legal loopholes.

  - On the one hand, violence against children is prohibited by the Child Protection Act (No. 23/2002) and the Family Violence Act (No. 23/2004). However, definition of violence is not sufficiently detailed and precise for due prosecution and enforcement; there are gaps in outlining state obligations with regard to child victims which makes it difficult to criminalise the parent perpetrators if there is no clarity over the potential further fate

of the child; there are discrepancies between the two above-cited Acts (e.g. regarding sanctions for household violence); there is no mechanism for consideration of complaints.

- Even the existing provisions of the Child Protection Act and the Family Violence Act are often difficult to enforce because of the lacking implementation mechanisms. For example, the alternative reports described how there is no viable mechanism at the moment for the authorities to receive and consider complaints on violence against children in the school environment.

- Legal prohibition of corporal punishment was especially problematic at the local level. In some regions in particular, corporal punishment is promoted as part of local traditions and religious beliefs. For example, the region of Nanggroe Aceh Darussalam which has special autonomy, supports local regulations *("Qanun")* whose infringement may be legally punished by flogging.

- **Protection of the witnesses and victims of trafficking.** During the last decade, Indonesia has endorsed a range of international and regional agreements related to elimination of sale, trafficking and abduction of children[12] , developed respective national plans of action[13] , and introduced key domestic legislation including the People Trafficking Act (No. 21/2007) and a further range of related secondary regulations such as, e.g., the Government Regulation No. 9/2008 on integrated services to witnesses and victims and the National Policy Commander Order No. 10/2007 on special procedures for interviewing witnesses and victims. However, the current set of national laws and regulations suffers from some weaknesses. In particular, definition of actions to be criminalised in relation to trafficking do not clearly cover the entire range required by the UN Trafficking Protocol (e.g. recruitment and transportation of the victim). Alternative report by the National Coalition also states that the Human Trafficking Act fails to recognise the vulnerability of the child in the situation of trafficking, contains conflicting definition of the child. Moreover, current legislation contains gaps with regard to application of extraterritorial jurisdiction to trafficking crimes (limiting the coverage only to crimes committed on the territory of Indonesia and only by the citizens excluding permanent residents).

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[12] UN Convention against Transnational and Organised Crime (ratified in 2009), Protocol to Prevent,   Supress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United   Nations Convention Against Transnational and Orgnanised Crime (ratified in 2009), Regional   Commitment and Action Plan of the East Asia and Pacific Region against Commercial Sexual   Exploitation of Children of 2001 and the Yokohama Global Commitment of 2001.

[13] National Plans of Action for the Elimination of Commercial Sexual Exploitation of Children and on the Elimination of Trafficking in Women and Children.

INDICATOR 1.3.
STRATEGIC PREPAREDNESS TO POTENTIALLY VOLATILE ENVIRONMENT

Systems for crisis prevention and recovery include the following:	C(1.0)
The Government has developed disaster and emergency preparedness strategies and action plans for management of multiple risks that have significant impacts on children in times of natural hazard or conflict situations	Yes, restricted (0.75)
Inter-agency mechanisms are established for addressing child protection risks in case of emergencies and disasters (coordination and data exchange systems, joint guidelines, response plans and training for staff across relevant sectors)	No, extended (0.25)
Preventive measures are based on risk assessments to identify and build capacities of the most vulnerable areas and population groups.	No (0)

Emergency Preparedness Plans

Natural Hazards

Indonesia's National Disaster Management Agency (BNPB) leads in DRR planning and coordinates with the Hyogo framework. In 2007, Indonesian Government approved a framework Law on Disaster Management (No 24/2007) launching a range of activities to facilitate systemic management of the country's multiple natural disaster risks. In 2008 it set up the Indonesian National Disaster Management Agency (the BNPB) with 399 sub-national bureaus (province and municipality level).Since the establishment of the BNPB Indonesia regularly reports to the Hyogo Framework for Action 2005-2015 – a ten-year global plan to enhance safety against natural hazards endorsed by the UN GA and led by the UN Office for Disaster Risk Reduction (UNISDR) *(UNISDR, 2005).*

The BNPB helped to develop a range of plans and strategies for disaster risk reduction,

- **National plan 2010-2014:** In 2009, the BNPB developed a National Disaster Management Plan (Renas PB) for 2010-2014, which was expected to be mainstreamed into the individual strategic plans of relevant ministries and agencies *(BNPB, 2009).*

- **Sub-strategy on groups with special needs:** The National Disaster Management Plan 2010-2014 listed seven individual sub-strategies needed for implementation of the plan. One of these sub-strategies is devoted to "Specific risk reduction programs for groups with special needs" and includes "specific programs for women and children" (along with gender mainstreaming, support to poor,

disabled, minority and marginalised groups). This assessment was not able to locate any further document which was specifically designed to elaborate this sub-strategy.

- **Provincial plans:** As of 2013, the BNPB reported that 33 (out of 34) provinces have developed their local Disaster Management Plans and followed them up with additional local regulations, disaster affected areas developed reconstruction and human recovery policies, including plans for vulnerable population groups.

- **Sub-provincial level (no plans):** However, planning for disasters mainly concentrated on provincial level and remained more challenging for districts and cities. According to the BNPB, "the key challenge in the implementation of disaster risk reduction in hazard-prone districts and cities is the lack of understanding of the essence of risk reduction concept. (…). Many policies are formulated in the context of disaster response and hence conveying the wrong signals to the regions.". The newly set-up local disaster management agencies also lack capacity (staff and skill) to match their tasks *(BNPB, 2013).*

In the absence of access to the individual strategic plans mentioned above, it is impossible to assess how well they cover child protection concerns. The 2011-2013 Hyogo progress report from Indonesia did not specifically address children. Description of progress on strengthening "Drivers of Progress" by "Integrating human security and social equity approaches into disaster risk reduction and recovery activities" – and, in particular, "Taking into account the risks to most vulnerable and marginalised groups" – was essentially not completed. All the report said on the issue was a brief description of social protection measures and recognition of much work still needed to integrate human security into risk reduction programmes.

Many child protection risks in emergencies are addressed within the 2011 Child Protection Cluster Contingency and Preparedness Plan, which is strongly led by donors. In 2008, humanitarian community jointly with the Government have established a Protection Cluster and developed a Contingency Plan, which was updated in 2010. The Plan was designed based on analysis of the experience of previous dramatic emergencies and focused on protection risks to children and gender-based violence. The leadership of the cluster was recently transferred from UNICEF and UNFPA to the UNHRC, although UNICEF continues to lead in the child protection area. The cluster consists of key donors and international NGOs, and cooperates with respective ministries within the Government[14] (although there is no single lead ministry for child protection) and contains a specific sub-cluster on Protection of Children, which cooperates with the Ministry of Social Affairs (co-leading together with UNICEF). The Contingency plan contains a description of

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[14] Ministry of Social Affairs *(Kemensos)* and its provincial offices *(Dinsos)*; Ministry of Women Empowerment and Child Protection *(KPPA);* Police of the Republic of Indonesia *(POLRI)*; Coordinating Ministry for People's Welfare *(Menkokesra)*, and the National Agency for Disaster Management *(BNPB).*

key scenarios depending on the strength of potential disaster impact, and outlines preparation and response plans with assignment of responsibilities across agencies and specification of expected costs *(Indonesia Protection Cluster, 2011).*

Social Conflict

While new approaches are developed to manage social conflict, no particular plans have been developed yet to prepare for potential risks for the children. Indonesian Government cooperates with key donors to reduce potential conflict and build peace and social cohesion across communities. Peace building features through multiple social development and livelihood strengthening progammes. In 2012, Indonesia has approved a new Law on Managing Social Conflict *(Penanganan Konflik Sosial – PKS)*, replacing a range of previously issued regulations on this subject. Bappenas has also developed specific strategies for support to conflict affected and disadvantaged areas. *(Barron, Jaffrey, Palmer, & Varshney, 2009).*However, no particular plans seem to have been developed in response to the risk of rapidly changing political and humanitarian situation in the fragile communities especially focusing on the potential impact and protection of children.

Inter-Agency Joint Response Mechanisms

The current coordination platform for natural disaster risk management is described by the BNPB as dysfunctional. Since 2008, Indonesia runs a multi-stakeholder National Platform for Disaster Risk Reduction *(Planas PRB),* which includes state and non-state partners (including the private sector). The BNPB Hyogo report was very honest in describing lack of functionality of this mechanism. The organisation "has not worked systemically", did not have a work plan (or a budget), did not assume a clear division of responsibilities, and hasn't met regularly. Members of private companies standing on the platform were too busy to attend and engaged mostly through ad-hoc activities to increase their public visibility. However, government ministries and agencies were equally inactive *(BNPB, 2013).*

The only viable coordination mechanism seems to exist in the Education sector to mainstream DRR into school curricula and standards. Indonesia'sConsortium for Disaster Education (CDE) works with support from the Ministry of National Education through an inter-agency task force since 2009 to build up disaster preparedness in schools. In particular, it worked to develop and promote a Framework for School-Based Disaster Preparedness, which establishes guidelines for key principles of preventive learning, early warning and post-disaster actions, including clear division of tasks, information management, and regular trainings and drilling. This work does not have explicit child protection focus but is an important indirect contribution to overall child resilience in emergencies and setting up basic response and coordination systems, including communication with the parents *(Consortium for Disaster Education Indonesia, 2011).*

The Protection Cluster created in 2008 was not activated during the emergencies in 2008-2011 as they were assessed as "not requiring major interventions by all cluster members". The cluster contingency plan was not used for the West Sumatra Earthquake in 2009, tsunami in Mentawai, West Sumatra, in 2010, and eruption of Mount *Merapi* in 2010. At the same time, for some of these emergencies there was a "limited activation" of cluster members, which did not include "protection cluster", and the child protection risks were absorbed by another cluster working on Gender and Diffable". This experience seems to illustrate that cooperation under donor-led clusters covers only major disasters and cannot replace the need for a steady capacity within the Government to coordinate in emergency situations.

Preventative Risk Mapping and Assessment for Natural Disasters

Indonesia has invested into multi-hazard risk assessments which were run in all provinces and initiated at the district and city level. The Government co-operated with the donors and the academia to develop forward-looking models of the key natural hazards, especially earthquakes, to map potential risks, damage and impact on the communities.

However, this risk assessment work still has fundamental gaps with respect to child protection risks:

- **No participation from ministries relevant to Child Protection.** While sector ministries were expected to conduct their own risk mapping and analysis based on the specific risks within their fields, and to share and coordinate the resulting maps with each other for joint response, the actual progress at sector level seems to be slow. In particular, unlike agencies directly involved in Meteorology, Geophysics and Geology, the key ministries relevant to Child Protection were not listed in the Hyogo report as those ministries which participated in the mapping. Moreover, the report explicitly states that no gender-disaggregated vulnerability and capacity assessment was undertaken to this date. Moreover, there is no common format for risk assessment, and no option for user customisation of this analysis.

- **Gaps at sub-provincial level.** Lack of mapping at district level (especially in Eastern Indonesia) is a substantial problem, and the current provincial scale is not sufficient for meaningful planning and response.

- **No national assessment of school safety.** There was no specific national assessment of school safety (reported percentage of schools assessed is zero).

- **Weak understanding of risk management and risk maps at community level.** Communities, especially at the district level, still often have poor understanding of hazard and risk analysis, as well as the risk maps. Usually this is because of the weak capacity, but an additional reason is lack of standardisation and clarity in how the information is consolidated and presented to local stakeholders.

Capacities for Response and Recovery

Natural Disasters

- **Post-disaster activities for past emergencies do not have specific considerations for child protection, human rights or any specific vulnerable groups.** The Government supports a "building back better" approach to develop capacities in key post-disaster areas (including post Yogyakarta and Central Java earthquake of 2006, West Sumatra earthquake of 2009 and post *Merapi* Eruption of 2010). However, these activities are led by the BNPB and is weakly coordinated with other ministries (even the Ministry of Public Works). The key agencies relevant to Child Protection do not seem to be systemically involved through a permanent coordination mechanism. As a result, the Government explicitly admits that it had not taken any measures to address specific human rights issues and vulnerabilities in post-disaster recovery planning activities.

- **Contingency plans are also not considerate of specific vulnerabilities related to age and gender.** Indonesia's Hyogo report also states that there are no contingency plans or programmes developed to deal with major disasters which would have gender sensitivities or which would provide for continued basic service delivery. *BNPB* regrets that awareness of the importance of contingency plans is minimal and uneven, which decreases the chances of receiving political support and budget allocations.

- **No work is underway to incorporate child vulnerabilities into development of support infrastructure.** The 2013 Hyogo report states that there was no progress specifically on building contingency shelters, secure medical facilities and dedicated provision of shelter and medical relief for vulnerable population groups.

- **The only child-specific DRR activity is mainstreaming DRR skills into school curricula and gradual retrofitting of school buildings.** Within the "One million safe schools and hospitals" campaign, the Government is mainstreaming DRR into curricula in primary and secondary schools (with 100 schools covered by 2013). The bulk of resources from the Government's national special allocation fund for education (70%) is spent on retrofitting school buildings.

Conflict and Post-Conflict Areas

Support systems for children in conflict-affected areas remain weak. Indonesia's children living in West Papua, Aceh and Ambon share a special set of vulnerabilities given that they had to experience military conflict and are likely to have been affected either directly (through replacement, abuse or engagement as child soldiers) or by witnessing the atrocities. Many of such children also face multiple risks resulting from being part of ethnic and religious minority groups. However, it has been so far challenging for the Government to establish due systems for monitoring of violations, protecting the victims and practical follow up on established guidelines.

- **Protection of children from violence and abuse in affected areas.** As was discussed earlier, Indonesia has not yet committed to some of the key international covenants to protect children refugees and internally displaced families and instruments to protect such children are weakly developed.

  - Since 1999, some support systems have been developed in the areas affected by conflict, such as "child-friendly spaces for children" in Aceh Province to protect children in dangerous circumstances *(UNICEF, 2009).*

  - The still absent instruments include establishment of child protection focal points in the military (to mainstream child protection issues in the armed forces and military guidelines), special education programmes for affected communities, including those which refocus attitudes to child soldiers to be seen as victims rather than offenders, permanent accessible children crisis centres etc. *(Risser, 2007).*

- **Monitoring of child protection issues.** Rapid and wide monitoring of child protection issues, especially incidences of gender-based violence among children displaced by armed conflict, was shown to be one of the most effective tools to prevent abuse. In particular, the UN has developed a specific Monitoring and Reporting Mechanism (MRM) for such regular reports to the UN Security Council (covering killings, abduction, attacks in schools and hospitals, recruitment of child soldiers, sexual violence against children, and denial of humanitarian aid). As of 2007, the MRM was not yet rolled over in Indonesia.

- **Follow up on existing instruments.** Some reports state that even where legislative action had been taken to protect population in affected areas, it is not always consistently followed up. For example, some of the continued sexual violence in Papua has been attributed to the fact that there were no sanctions on military personnel for committing such offence *(Venny, 2006).*

INDICATOR 1.4.
POLICY COORDINATION FOR CHILD PROTECTION

Availability and effectiveness of policy coordination structures:	B (2.75)
There is a Parliamentary or other oversight body on child protection which has a clearly defined mandate, authority and resources to implement it, and meets regularly;	No, extended (0.25)
There is an inter-ministerial mechanism that coordinates child protection activities, which has a clearly defined mandate and institutional leverage, meets regularly and is attended or followed up by senior officials;	No, extended (0.25)
There is a mechanism at the national level for the government and civil society to coordinate on child protection policy, legislation and programming;	Yes (1)

Supreme Policy Oversight

The high-level independent body overseeing CP issues is the Indonesian Commission for Child Protection (KPAI). In July 2003, following up on the requirements of the 2002 Child Protection Act (No. 23/2002), Indonesia established an independent Indonesian Commission for Child Protection *(Komisi Perlindungan Anak Indonesia, KPAI)*[15] . Members of the KPAI are proposed by the House of Representatives (the Lower House of the People's Consultative Assembly), and individually appointed by the President for the term of three years. The Commission includes representatives of the government, religious organisations, civil society and academia, and reports directly to the President[16] .

The remit of KPAI is wide and generic. The KPAI has a wide-ranging remit, including supervision of child protection policy implementation and promotion, independent monitoring, and direct handling of complaints on violation of children's rights. The Commission provides generic recommendations to the President based on the analysis of gaps and bottlenecks in the child protection area, but is not involved in the issues related to policy budgeting or technical aspects of policy implementation.

Observers identify a range of weaknesses in how the KPAI implements its mandate. First, formal functions of the Commission are not always matched with practical implementation tools. For example, the 2010 alternative CRC reportby the national

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[15]   The Commission was established based on Presidential Decree No. 77/2003. This new body is separate and different from the National Commission for Child Protection (Komisi Nasional Perlindungan Anak – or Komnas-PA), which was established in 1998, with considerable support from UNICEF, worked to significantly contribute to the development of the 2002 law, and seems to continue functioning as an NGO (Hitzemann, 2004).
[16]   The KPAI website is http://www.kpai.go.id/

NGO coalition reports that while the KPAI is mandated to receive complaints it has no authority to conduct investigation and to follow up with any action where violation is suspected. The KPAI is also reported to have limited access to data on child violence and abuse. Importantly, civil society is also concerned by the fact that, in line with the law, KPAI reports exclusively to the President, and not to the House of Representatives *(DPR)*, which constraints its independent perspective *(Save the Children, 2010)*. Similar concerns were also voiced by the Committee on the Rights of the Children *(Committee on the Rights of the Child, 2004)*. The Commission also faces resource constraints, as was identified by the Government assessment in 2010 *(Committee on the Rights of the Child, 2012).*

While KPAI is an important stakeholder in Child Protection system, its role in policy coordination as such is questionable. In fact, the Government notes that problems of coordination with other relevant bodies has been one of the biggest challenges for the KPAI itself *(Committee on the Rights of the Child, 2012).*

The KPAI is also one of several Commissions working on protection of Children's Rights and not always well coordinated. Two other important bodies are the National Commission for Human Rights and the National Commission for the Elimination of Worst Forms of Child Labour *(KNPBPTA)*, and the National Commission for Women. Cooperation across these Commissions is a subject of specific concern, especially the KPAI and the *KNPBPTA*, which need to jointly investigate cases of child abuse and exploitation *(Committee on the Rights of the Child, 2012)*

Working-level Coordination Across Ministries

The Government applies a range of approaches for coordination among agencies involved in Child Protection, but much of it is issue-based and it is still difficult to ensure a strong executive lead in this area at a system level. In 2010, the Government report described how Child Protection programmes were dispersed across at least 14 ministries and agencies (the most active of which were MoSA, MoWECP and the Ministry of Labour and Transmigration) *(Bappenas, SMERU, UNICEF, 2010).* The Government of Indonesia is keenly aware of the need to ensure productive cooperation across these various authorities, as well as between national and subnational counterparts in Child Protection. This task is recognised not only in the sector-specific legislation but at a higher level within the national development planning documents. As was discussed earlier, improved partnership and coordination among stakeholders was chosen as one of the core activities to achieve Child Protection targets specified directly in the country's 2010-2014 National Medium-Term Development Plan (RPJMN). To ensure coordination in practice, the Government uses several core mechanisms as described below.

- **Coordination through the Ministry of Women Empowerment and Child Protection (MoWECP)[17].** The core duty of the MoWECP is "to assist the President in formulating policies and coordination in the field of empowerment of women and child protection[18]".

  - As part of this mandate, the MoWECP was given the responsibility to coordinate implementation of the CRC and the National Plan of Action for Children 2015. The Plan of Action, in particular, is a broad programme drafted along the main provisions of the CRC and the principles of the "World Fit for Children", the document produced by the 27th Special Session of the UN General Assembly in 2002. Respectively, the MoWECP also received the mandate to implement the Child Friendly Development Program.

  - Many activities by the MoWECP do strongly contribute to coordinated action for the protection of children. In particular, the MoWECP participates in joint programming with other ministries for coordinated delivery of services for children[19]. The MoWECP is also instrumental in issuing policy guidelines for child protection for the sub-national counterparts, such as, e.g., minimum standards for provision of services to victims of violence issued in 2010[20] .

  - However, the MoWECP seems to lack sufficient resources and institutional standing to perform the function of general coordination across all government authorities to implement cross-cutting Child Protection programmes. A Government presentation in 2012 discussed how horizontal coordination has been so far difficult, because policy decisions which run across sectors require strong political commitment and also enough of a legislative and executive mandate which is currently lacking. This presentation concluded that successful coordination should be, ideally, delegated to a specific agency with sufficiently high profile (rather than any of the sector ministries *(Handayani, 2012)*. The National NGO Coalition for CRC Monitoring also noted that the coordinating function allocated to the MoWECP is too huge for its current capabilities. The Ministry has a non-departmental status which, according to the alternative NGO report, means that it has limited resources and, in particular, "no adequate resources available at district level"*(Save the Children, 2010).*

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[17] The Ministry formally took over the mandate over Child Protection and its current name in 2009 (Bappenas, SMERU, UNICEF, 2010); within the MoWECP a special unit is specifically dedicated to Child Protection.

[18] http://www.indonesia.go.id/en/ministries/ministers/state-minister-for-woment-empowerment/1647-profile/274-kementerian-pemberdayaan-perempuan-dan-perlindungan-anak

[19] One example of such coordinated work is the Joint Decree signed by the MoWECP, MoSA, MoH and the Head of the Indonesian National Police in October 2002 to ensure harmonised support to the victims of violence among women and children (Bappenas, SMERU, UNICEF, 2010).

[20] MoWECP Regulation No. 1/ 2010.

- **National Task Force on Child Protection and the leadership of *Bappenas.*** Reflection of the Child Protection objectives in the national development documents creates a foundation for the Ministry of National Development Planning *(Bappenas)* to take lead in policy coordination and budgeting in this area. In particular, *Bappenas* is de-facto leading the National Task Force on Child Protection which was created to orchestrate the implementation of the Government-UNICEF programme coordination. While the remit of this group is thereby formally limited to donor-government programmatic agenda, in reality it represents one of the strongest practical platforms for child protection policy discussions.

- **Issue-specific coordination at national level.** Additional coordination structures have been established during the last decade to facilitate implementation of policies related to particular issues in Child Protection. For example:

  - Elimination of WFCL.National Action Plan on WFCL is implemented under the leadership of a specifically established National Action Committee (NAC) for the Elimination of WFCL, which is supposed to monitor and coordinate respective policies. This committee is chaired by the Ministry of Manpower and Transmigration (MoMT) and includes a wide range of stakeholders, including other relevant ministries and civil society representatives, as well as trade unions. While NAC WFCL is responsible for national level coordination it also leads initiatives which operate at some of the districts and orchestrates the formation of sub-national action plans and action committees in this area. However, upon completion of the first stage of the National Action Plan for elimination of WFCL, an evaluation showed that lack of effective coordination remained to be one of the biggest challenges of this programme *(Bappenas, SMERU, UNICEF, 2010).*

  - **Anti-trafficking.** Protecting children from the risks related to human trafficking is one of the most complex areas, requiring concerted effort at sub-national, national, and trans-national level. According to the alternative NGO report on CRC compliance, cooperation for anti-trafficking has been comparatively better than in other areas, however weaknesses still remain. Respective activities have been guided by the Suppression of Human Trafficking Act (No. 21/2007). To implement approved policies in the area of anti-Trafficking, the Government established a specific Task Force[21] , covering 14 ministries, under the primary leadership of MoSA and deputy leadership of MoWECP. Unlike for other issues, following up on the requirements of the Act No. 21/2007, the Government also already managed to establish specific duty clusters at sub-national level to coordinate local agencies and service providers. Some local governments followed it up by establishing respective working groups, accepting local regulations and setting up integrated services for the victims (e.g. special

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[21]   Task Force of Prevention and Law Enforcement regarding Trafficking.

service rooms). However, this is not yet a wide-spread practice and where cooperation protocols already exist, they need to be expanded and operationalised to cover all involved authorities and a sufficiently wide continuum of services including prevention, reintegration and recovery *(Save the Children, 2010).*

- Issue-specific coordination at sub-national level. For some of the child protection issues, the Government has worked to stimulate coordination at sub-national level. For example, the Human Trafficking Act (No 21/2007) assumed that local governments would establish respective duty clusters. At least some provinces, such as Aceh, introduced regional regulations to run such collaborating efforts but it is unclear how systemic was such practice *(UNICEF Indonesia, 2012)*.

Policy Coordination with Civil Society

Civil society has been a driving force in the Indonesia's democratic transformation and a key champion for protection of human rights. The civil society operating in the human rights domain in Indonesia includes diverse actors, ranging from small, issue-specific and community-based groups to large nation-wide structures (such as the Komnas HAM) and academic institutions (including Centres for Human Rights Studies established in many Indonesian Universities). NGOs were critical in mobilising public support for reforms but also in shaping Indonesia's current legislative framework. Many such organisations work specifically on child protection issues, influencing legislation, raising awareness and participating in frontline service provision. Some NGOs unite around particular child protection issues, such as, for example, the network of Indonesian Child Labour NGOs *(JARAK)*, the National Coalition against Trafficking of People, and the National Coalition against Sexual Exploitation of Children. Importantly, for the first time in Indonesia's history, nine children groups in Indonesia have united in 2010 to produce the country's first alternative report on CRC compliance (*Save the Children, 2010).*

There are at least four major official channels for the NGOs to participate in the country's policy process for child protection:

- First, NGOs formally participate in the KPAI, the high-level coordination body on child protection issues described earlier in this section;

- Secondly, external experts, especially representatives of academia, play an important role in developing academic background papers within the legislative drafting process and providing technical support to government coordination structures;

- Thirdly, civil society is supposed to be covered by the various consultation mechanisms in the legislative drafting process, as was discussed earlier;

- Finally, the possibility of inputs into the alternative reporting to international bodies such as the CRC is another leverage for the civil society to engage in the child protection policy debate.

However, these mechanisms still need much improvement to meaningfully engage non-state partners into the dialogue. While channels for NGO inputs into the policy process have been growing, many times they still had to work for delivering their message against barriers and lack of support from the Government partners. *(Lindsey, 2008).*

- To a significant extent, this may be linked to the weak internal capacities by the NGOs themselves. Assessment of the Indonesian civil society landscape by *YAPPIKA*-Indonesia in 2012 using an international Civil Society Index (CSI) showed that while NGOs at national and sub-national level usually have advanced values and impact, they suffer from poor internal governance and weak organisational structures.

- Financial capacities of the non-state partners are also rather limited. Generally, Indonesian NGOs are characterised as significantly dependent on foreign aid and having very limited access to national resources, operating without any particular tax incentives either to the NGOs or to the donating agencies and individuals *(Indiyastutik, 2012).*

- However, the same assessment through the CSI index also showed that Indonesian NGOs also operate in a highly hostile environment and that their relations with the state are far from perfect. In fact, out of four dimensions of this index, external environment received the lowest (worse) score. Weak rule of law, instances of corruption and favouritism, lack of tax incentives, lack of differentiation between non-for-profit and business entities and generally small amounts of financial support have been one factor while NGOs themselves "perceive the state as an adversary" and act "in confrontational and hardnosed" manner *(Indiyastutik, 2012).*

- Alarmingly, transparency and accountability of the NGO sector itself has been week. The 2012 *YAPPIKA* survey among community-based civil society organisations showed that there were instances "where certain civil society groups used violence, promoted intolerance and discriminated against women"*(Indiyastutik, 2012).*

Policy Coordination with Key Donors

International aid to Indonesia represents a small share of its own national product, but it is still very significant. The significance of international aid for Indonesia has substantially diminished in the recent decades, with the national economy powerfully growing and the country's role on the global arena transforming towards an aid provider and regional development champion. As of 2011, combined ODA flows to Indonesia represented 0.1% of the country's GNI (falling from 0.2% in 2010)[22]. Overall net amount of ODA received by Indonesia in 2011 was USD 415 million (84% provided through bilateral programs, and about 5% - through the UN system).

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[22] http://www.oecd.org/

At the same time, aid received by Indonesia is still very significant. In 2010, it ranked 19th biggest net ODA recipient globally. Moreover, Indonesia receives very considerable and growing amounts of private aid flows (USD 10.2 billion in 2011, growing more than three times compared to 2010) and, as of 2011, ranked 6th biggest private aid recipient on the planet.

In the last decade, coordinating these aid flows and making sure that they are used effectively has been a technical and political challenge.
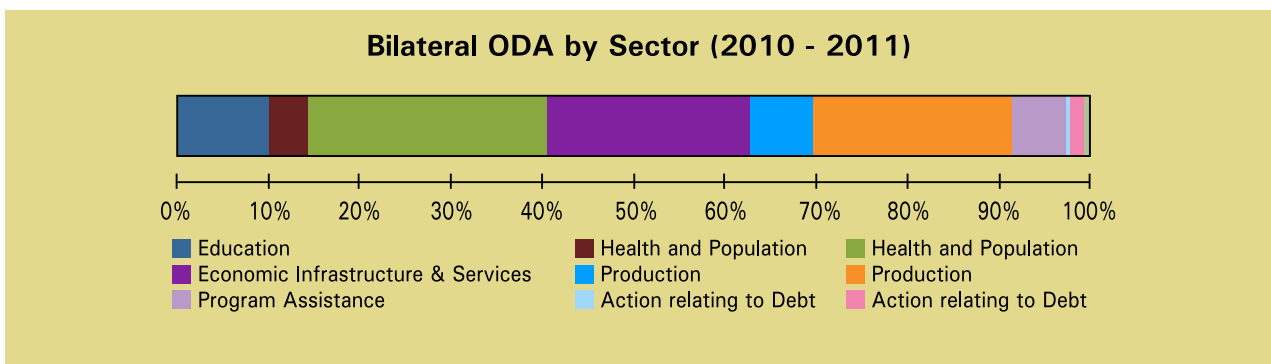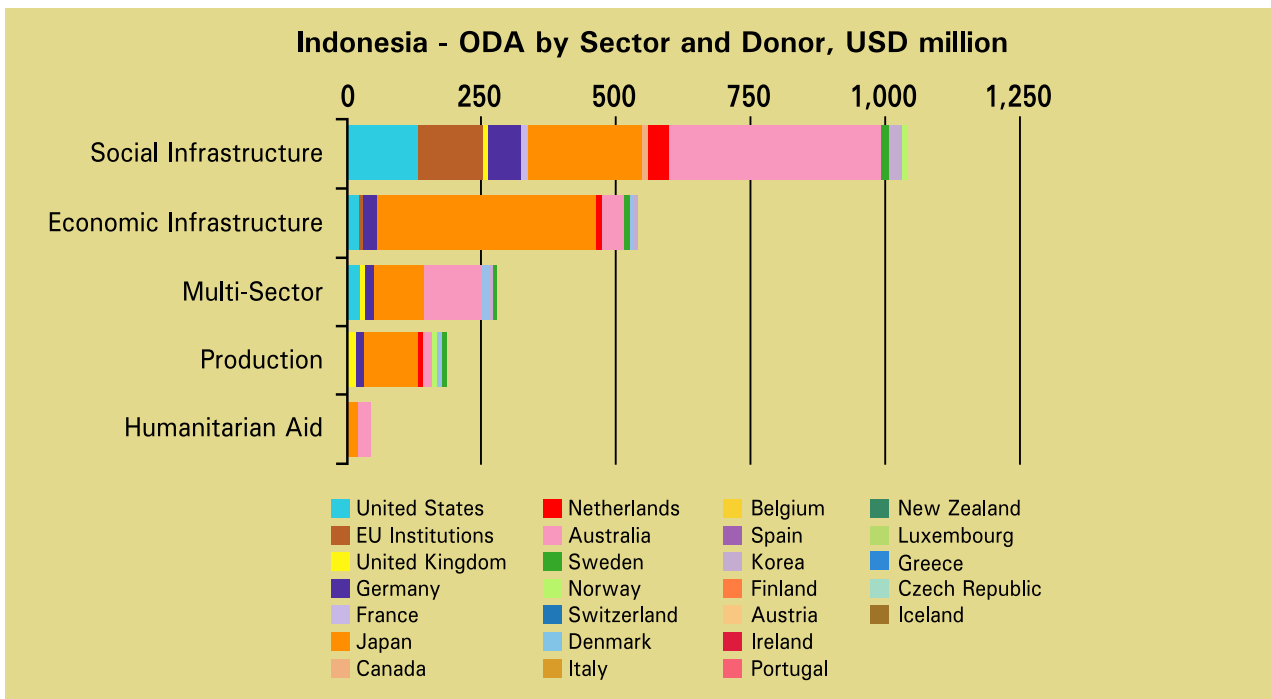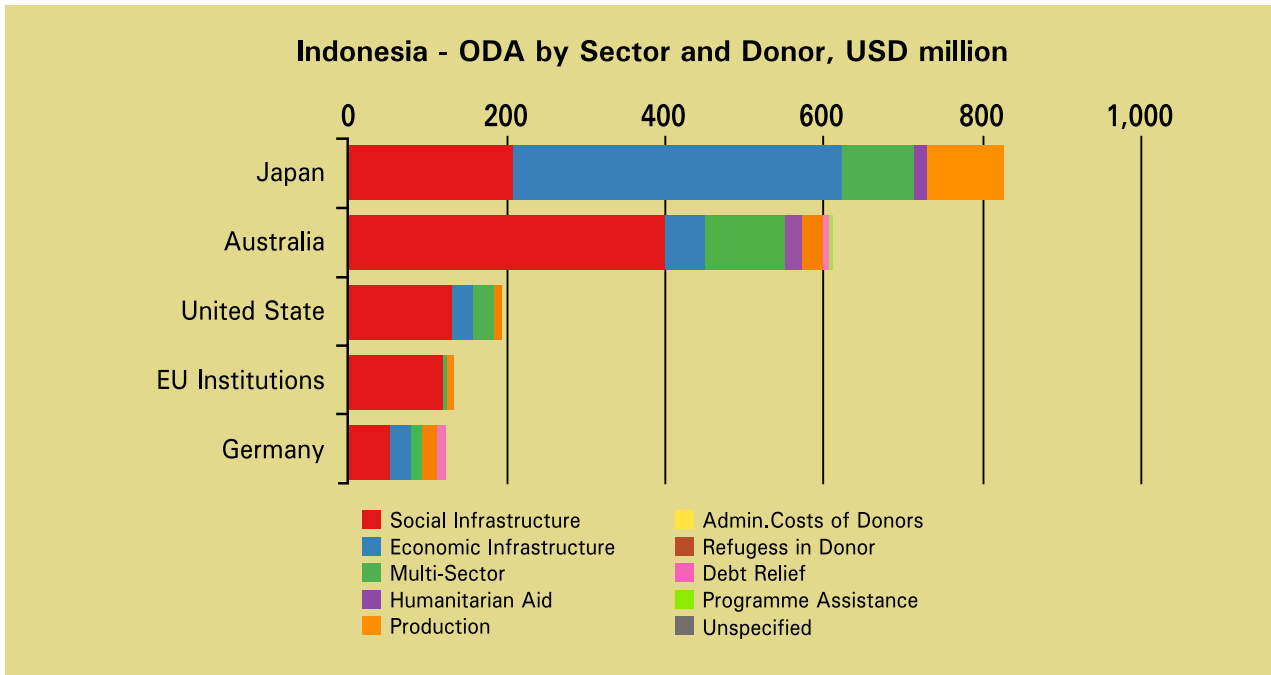
- First, the goal of ensuring domestic ownership of the development agenda has been particularly important for Indonesia, given its history of close co-operation with the Bretton Woods institutions which was retrospectively criticised for excessive intervention in Indonesia's long-term economic and social choices, including strong financial liberalisation which had strong impact on the country's development in further decades. Aid management reforms since mid-2000s were strongly focused on ensuring independence and pro-active role for the Government in this process.

- Secondly, decreasing aid dependency was accentuated by Indonesia's traumatic experience of the 1998-2000 financial crisis and the difficulties of managing the growing foreign debt burden.

  Thirdly, complex institutional structures for national policy planning and implementation, coupled with problematic financial management arrangements, often made it difficult to set up coherent and practical mechanisms to align aid flows amongst the donors and with the national policies.

- Finally, a separate complicating factor has been Indonesia's decentralisation process. Disbursement and oversight of international aid fell under overlapping responsibilities of the Ministry of Finance and the *Bappenas*, adding to the bureaucratic and institutional complexity of coordination *(Yuwono, 2010).*

The largest share of aid goes into social sector and is mostly funded through bilateral donors. International aid programmes focused on social infrastructure, including social services, health and education sector activities, represent the biggest share of donor spending in Indonesia, including bilateral and multilateral sources *(see Figure 4).* In particular, large share of social sector projects are funded by bilateral donors (mainly, Australia, Japan, USA, EU and Germany).

Figure 4.
Aid Statistics for Indonesia (OECD, 2011)[23]

Indonesia - ODA by Sector and Donor, USD million

Legend:
- Social Infrastructure
- Economic Infrastructure
- Multi-Sector
- Humanitarian Aid
- Production
- Admin.Costs of Donors
- Refugess in Donor
- Debt Relief
- Programme Assistance
- Unspecified

Indonesia - ODA by Sector and Donor, USD million

Legend:
- United States
- EU Institutions
- United Kingdom
- Germany
- France
- Japan
- Canada
- Netherlands
- Australia
- Sweden
- Norway
- Switzerland
- Denmark
- Italy
- Belgium
- Spain
- Korea
- Finland
- Austria
- Ireland
- Portugal
- New Zealand
- Luxembourg
- Greece
- Czech Republic
- Iceland

Bilateral ODA by Sector (2010 - 2011)

Legend:
- Education
- Economic Infrastructure & Services
- Program Assistance
- Health and Population
- Production
- Action relating to Debt
- Health and Population
- Production
- Action relating to Debt

Institutional set-up for aid coordination significantly changed in the last decade. Coordination of these various funding flows and activities has evolved, responding to the commitments within international aid effectiveness for and domestic coordination challenges:

- **Indonesia is one of the countries which endorsed the 2011 Busan Partnership for Effective Development Co-Operation describing the latest principles of the international commitment for effective aid.** The Busan agreement takes forward the Paris Declaration agenda but reinforces the role of aid recipient countries in formulating reform objectives, leveraging diverse resources to achieve results and tailoring aid flows to the domestic context. It also gives a renewed and central attention to mutual transparency and accountability, the need to jointly address the uncertainties of increasingly turbulent economic, social and natural environment, and the growing importance of the South-South cooperation. The agreed partnership document called for a major transformation "from effective aid to co-operation for effective development". *(HLF4 / OECD, 2011).*

- **Stronger country ownership is also central to the 2009 Jakarta Commitment.** This document signed by the Government and its 22 development partners as a Roadmap for cooperation to 2014 *(Government of Indonesia, 2009).* The Jakarta Commitment emerged as a coordinating tool after decades of challenging transformations in the government-donor dialogue. Previous solutions for this dialogue – the Inter-Governmental Group of Indonesia (IGGI, 1967 – 1992), the Consultative Group of Indonesia (CGI, 1992 – 2007) – were deemed unviable, not least because of their failure to provide the Government with sufficient leverage to influence the agenda and because of the lack of practical focus. The Jakarta Commitment was based on an intention of the Government to increase its independence in utilisation of donor funds *(Winters, 2010).*

- **Jakarta Commitment includes a range of requests to ensure stronger role by the Government.** One of the requirements of the Jakarta Commitment (Section 1(a)) is that the development partners should "align themselves more fully with the Government programmes and systems" and "align their programming cycles with those of the government, use the government format for reporting their assistance" *(Government of Indonesia, 2009)*. As will be discussed further, this requirement has been reported as a "significant challenge for both the donors and the Government" *(Winters, 2010).*

- **Donor cooperation is currently structured through six thematic groups operating under a *Bappenas*-led Secretariat (A4DES).** For the implementation of the Jakarta Commitment, the Government has set up a new, currently active, institutional structure – the Aid for Development Effectiveness Secretariat (A4DES) led by *Bappenas*. The A4DES is directed by a steering committee and a management committee. It operates through six thematic working groups which include representatives of the Government as well as of relevant development partners:

- Procurement;
- Dialogue and institutional development;
- Public finance management;
- Monitoring and evaluation;
- Capacity building and knowledge management, and
- Development of Finance Mechanisms.

- **In addition to the A4DES, separate structures are established for Government's cooperation with specific donors, in particular UNICEF.** A noticeable example of such cooperation structure is the GoI-UNICEF Cooperation Program (*Kelangsungan Hidup, Perkembangan, Perlindungan Ibu dan Anak (KHPPIA)* [24]). The Program, which commenced in 1996, was described as one of the strongest cooperation success stories by the Government's 2010 Aid Effectiveness evaluation *(Government of Indonesia, 2010).* In line with the Jakarta Commitment, the Program is based on synchronised 5-year planning cycles (the UNICEF Country Program Action Plans and respective RPJMN phases).

- **Similarly to A4DES, the GoI-UNICEF Cooperation program is also structured through six thematic groups.** A separate group – and reportedly most active one – is being focused on child protection. The working groups are co-chaired by the Bappenas and the UNICEF, with UNICEF providing capacity building and technical support. The groups include:

  - Child Survival and Development;
  - Education and Adolescent Development;
  - Social Policy Child Protection;
  - Communication and partnership for children

Effectiveness of the A4DES structure has been questioned both by the Government and external observers, including Indonesian NGOs and international studies. The 2010 Aid Effectiveness evaluation noted that A4DES working groups place an overwhelming burden on the participating ministries in terms of the staff and time they need to dedicate. Lack of hands, skill and time spent on program management leads to poor monitoring. Moreover, this process often lacks technical thrust and rigor. The evaluation described how at the level of technical ministries, the Government's leadership is very weak, with most technical work and programme planning still done by the donors with very little input from the national partners *(Government of Indonesia, 2010)*.Similar impression was voiced by some of the Indonesian NGOs *(INFID, 2009)*. It is reported that A4DES working group members are weakly aware of its principles and tools, meetings are not conducted consistently and are not regularly attended by senior officials. Information and technical support available to these meetings is poor (in terms of adequate analysis of aid flows and programmes). Moreover, cooperation across the six groups is limited *(Winters, 2010).*

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[24]   http://khppia.org

As a result, actual current practices in donor coordination are described as chaotic and ineffective. Given the lack of strong orchestration from the Government, donors seem to be finding informal coping strategies for mutual co-existence, which was labelled by some researchers as "donor sorting" (as opposed to "donor coordination"). Major organisations and projects are agreeing to operate in their separate evolved niches – in terms of geographical districts[25] and thematic areas – "mutually accommodating and finding only minimal compromise". This implies not only lack of strategic alignment, but also risk of exclusion of some issues and areas. It also leads to poor dissemination of results and lack of roll-over in the development of new mechanisms and best practices. Another negative consequence is the risk of confusing local governments with potentially conflicting tools and approaches *(Winters, 2010).*

This reflects a mixed picture for child protection area in particular. On the one hand, specific activities of the UNICEF represent one of the best examples of government-donor coordination, highlighted as best practice by the Paris Declaration Aid Effectiveness Evaluation. It also offers some of the useful ideas on how the broader A4DES structures could be strengthened, as will be discussed below. However, beyond the GoI-UNICEF KHPPIA program, the Government's capacity to coordinate and effectively allocate wider international aid flows, including considerable spending on child-related programs by key bilateral donors, remains highly problematic.

Recommendations for improved donor coordinationfocused on stronger technical leadership by the Government and more transparent, less bureaucratic rules:

- Reported best practice in this area of technical ministry-level leadership is the KHPPIA GoI-UNICEF Program. The 2010 Aid Effectiveness evaluation highlighted the KHPPIA program as an approach to structure government-donor dialogue which could be usefully applied to the A4DES-level cooperation. In particular, the report praised the fact that within the KHPPIA, implementation of individual UNICEF programmes are supervised through a joint body led by respective technical ministries, and that a similar duet is established at the regional level. While implementation is led by the technical agencies, monitoring is conducted by MOHA and Bappenas. This arrangement at a technical level helps to achieve stronger technical basis, regular meetings and gradual build-up of trust.

- In order to implement the upscaled Busan challenge, the Government needs to be able to communicate a strong and transparent domestic reform agenda as a working platform for the donors.

- It also needs to represent its standing on this reform agenda in the dialogue with the donors through a clearly identified lead agency, including in the area

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[25] For example, Australian bilateral aid is focused on Eastern Indonesia, USAID – on Java and Sumatra, CIDA – on Sulawesi, GTZ – on the provinces of Central Java, Kalimantan, Nusa Tenggara Barat, Nusa Tenggara Timur and Yogyakarta, and the Dutch bilateral programs – on Papua and Maluku *(Winters, 2010).*

of decentralisation. Current institutional splits within the Government stimulate chaotic donor sorting. Moreover, the donors are sometimes supporting and promoting these splits by "playing favourites with particular government agencies" *(Winters, 2010).*

- In the decentralisation area, given the importance of decentralised policy delivery in Indonesia, donor activities were confused and fragmented by the lack of single national lead agency for decentralisation. Various projects seem to have supported overlapping and duplicating functions within the central government – in MOHA, the State Ministry of Administrative Reform, the Bappenas and the MoF *(Winters, 2010).*

- As with the ministerial coordination, complex bureaucratic structures proved to be less effective than informal contacts and agreements. Observers found that the best modality for donor coordination in Indoneisia has been through informal contacts with the officials and joint discussions with diverse government representatives in informal settings, such as breakfast meetings. This was explained by the fact that "public situations force ministerial officials to hold their ground and avoid compromise, whereas informal meetings are more likely to lead to progress on the resolution of the issues" *(Winters, 2010).*

INDICATOR 1.5.
POLICY MONITORING

Policy monitoring framework for CP includes the following:	C (1.0)
· National programmatic documents for Child Protection are supported by monitoring and evaluation framework which is integrated into the policy cycle	Yes, restricted (0.75)
· Monitoring and evaluations undertaken to assess Child Protection policies generate practical feedback to policy makers	No, extended (0.25)
· Analysis undertaken to review policies contains evaluation of policy impact	No (0)
· There are clear processes and responsibilities for collecting data required for monitoring and evaluation, making sure that analysis covers sufficient scope of issues and produces reliable results	No (0)

Monitoring Frameworks Within The Policy Cycle

Evaluations within the National Development Planning System

The National Development Planning System, introduced in 2004[26] , contains a specific and elaborate mechanism for policy monitoring and evaluation. The mechanism places the M&E link logically into the policy cycle and also integrates

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[26]   Law No.25/2004Regarding the National Development Planning System

it closely with the budgeting system. Medium-term and annual development plans (national, sub-national and ministerial) contain performance indicators, which are subject to regular monitoring and evaluation. Medium-term progress under RPJMN is assessed "at least once in the last year of the implementation period of the plan", and annual plans are monitored on the quarterly basis and at the end of each year. Assessments are led by the Bappenas, with inputs from the line ministries and regional authorities. Within the Bappenas, a specific Deputy of Development Performance Evaluation (DPE) was established in 2007 to oversee this function.

Improved M&E is one of the top mid-term development priorities for Indonesia, both for national and sub-national programmes. At the level of national strategic planning, Indonesia explicitly recognises that it needs to significantly improve its capacities for monitoring and evaluation. RPJMN 2011-2014 notes that stronger M&E would be one of the five key prerequisites to increased effectiveness of public expenditures. Notably, the RPJMN highlights this need both for the overall public spending and additionally for the particular objective of better usage of the Special Allocation Fund (DAK) – the financing source for responsibilities delegated to the regional level. The RPJMN, in particular, states that "coordination and integration in DAK monitoring and evaluation are still insufficient and regional discipline in submitting progress reports to the central government is also low"*(President of the Republic of Indonesia, 2010).*

In recognition of these objectives, the Government has undertaken significant work to strengthen its monitoring systems. As mandated by the Law, the Bappenas works actively with wider Government partners to produce the regular M&E reports.

- Once in a quarter, it invites reports from the line ministries and provincial authorities to produce consolidated analysis. Twice a year, it holds meetings with the line ministries and provincial governments to discuss progress and concerns. It also leads in making sure that the outputs of the annual reports are fed into the next planning cycles.

- In addition to the consolidated analysis, Bappenas also produces assessments by individual ministries, allowing comparison and lessons learning.

- Longer term evaluations for the purposes of the RPJMN review are undertaken as self-assessments by individual ministries and submitted to the Bappenas for consolidation. As indicated earlier, RPJMN evaluation is mandatory only at the last year of the mid-term plan, but the Bappenas still conducted an earlier assessment in 2012.

- Moreover, Bappenas has developed and introduced a web-based application for electronic submission of data and reports from the line ministries, the e-Monev (http://e-monev.bappenas.go.id/), which also makes these reports available to the general public. An extension of this application to include local governments is being developed and was supposed to be introduced by the end of 2013.*(Haryana, 2013).*

Unfortunately, Bappenas finds it difficult to engage all line ministries and local governments into the M&E exercise. But while these efforts produced valuable analysis and institutional changes, Bappenas is still struggling to meaningfully engage line ministries and provincial governments into its monitoring and evaluation activities. To begin with, other agencies simply do not fully comply with the requirement to submit their reports. The share of line ministries which were sending their reports was 30% in 2010; it increased to 65% in the 2013, with the introduction of the e-Monev, but is still low and deemed by the Bappenas as insufficient for high-quality consolidated assessment. This passive participation by other agencies may be linked to the fact that there is no institutional incentive for them to comply (either positive – through some kind of benefit for sending reports, or negative – as a reprimand or fine for the failure to submit due inputs)*(Haryana, 2013).*

Key agencies in Child Protection are among those which fail to duly participate in the Bappenas-led M&E process. Importantly, the government agencies which are key for the Child Protection policy process, remain among those which do not duly co-operate with the *Bappenas* for Monitoring and Evaluation purposes. As of early February 2014, the list of 23 bodies which were behind in the submission of their reports for the IV quarter of 2013 included [27]:

- Ministry of Law and Human Rights;
- Coordinating Ministry of Social Welfare;
- Ministry of Women's Empowerment and Child Protection;
- Ministry of Communications and Information;
- House of Representatives;
- Supreme Court;
- Attorney General;
- Police of the Republic of Indonesia;
- National Human Rights Commission;
- National Border Management Agency (BNPP);
- National Board for the Placement and Protection of Indonesian Overseas Workers (BNP2TKI);
- Public Radio Broadcasting Agency;
- Public TV Broadcasting Agency.

Evaluations for Other Child Protection Strategic Planning Cycles

Evaluation of specific child protection strategies lacks consistency. As was discussed earlier, the RPJMN represents only one dimension of child protection policy planning, with more precise and detailed priorities being outlined within the 2002 Child Protection Law and the issue-based action plans. Monitoring and evaluation of these programmatic documents seems to be less structured and coherent.

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[27]   http://e-monev.bappenas.go.id/

- **2002 CP Law and the role of KPAI.** Monitoring and evaluation of the progress in implementation of the 2002 Child Protection Law is the responsibility of the Commission for the Protection of Indonesian Children (KPAI) (established by Article 76 of the Law itself). The duty of the KPAI is to "collect data and information" and "conduct studies, monitoring, evaluation and supervision with respect to the protection of a child's rights", submitting resulting findings and recommendations to the President. However, the KPAI approach to this duty does not seem to follow a clear strategy which would integrate the assessments into the policy cycle. There is no publicly available plan and schedule of investigations, the reported activities seem to be reactive to the complaints or request received by the Commission, rather than a structured pipeline. Besides, the actual reports and analysis of the utilisation are also not publically available, which makes it impossible to assess their practicality or policy impact.

- **Issue-based action plans.** Most of the current issue-based action plans in Child Protection contain monitoring and evaluation mechanisms, and for some of them progress reviews were already produced, with mixed success. However, some of other plans (such as the National Action Plan on the Trafficking of Women and Children) are still in the progress of implementation and was not yet comprehensively monitored.Examples of already on-going M&E cycles for the action plans include:

  - The Third Plan of Action on Human Rights includes a list of result indicators to be tracked; but this is an improvement compared to the previous plans, while the analysis of lessons from implementation of the earlier plans is not well structured and not clearly linked to the provisions of the current document.

  - The National Action Plan for the elimination of WFCL is currently at its third, final stage (2013-2022). In many ways, WFCL policy process may be considered one of the best practices in terms of monitoring and evaluations, but still not without concerns. Monitoring and evaluation of this NAP is led by the NAC WFCL. In 2008, it produced a progress review covering the first stage of the plan and elaborating further plans for Stage II (NAC WFCL Secretariat , 2008). This report is a substantial evidence-based material, structured across a range of particular targets and clearly explaining how lessons from the previous stage would be taken forward in the future. Whether this M&E practice continued into the next cycle is less clear, given that we were not able to access further reports on the lessons from the Stage II which was supposed to be completed a year ago.

Practicality of The Feedback

Bappenas **applies practical quantitative tools to ensure timely reporting by line ministries.** Progress evaluations by the Bappenas rely on indicator frameworks contained within the RPJMN and respective annual plans, which are highly quantitative. Respectively, these assessments follow the task of flagging any

imminent issues with achieving planned results by the line ministries. The M&E methodologies used by the *Bappenas* in their analysis of the annual and mid-term progress employ some very useful ideas, which make the conclusions clear, eloquent and easy to use. The results are presented as traffic-light scores, depending on the success in meeting quantitative program targets (green shows complete compliance, yellow signals a gap of less than 25% compared to target, and red shows a gap larger than 25% and a danger of not achieving till end of period). The Bappenas also works specifically on keeping their M&E on schedule, so that lessons from previous periods could impact further budget cycles (as it happened in 2013, according to the Bappenas reports) (Haryana, 2013).

Unfortunately, this assessment was not able to access any self-assessment reports produced by individual line-ministries related to Child Protection, as would be expected by the *Bappenas.* It is therefore impossible to estimate, whether these specific reviews are more policy-oriented and how strong is their practical applicability.

The evaluations conducted by other agencies, such as the National Action Committees, have a clearly stronger policy- and qualitative focus but they are, at the same time, somewhat less practical. On the one hand, they contain recommendations for amending programmatic documents for the next planning cycles, but these recommendations are rather generic. For example, the 2008 Review of the WFCL NAP looked into the weaknesses and continued importance of awareness raising, and concluded that it should be taken forward through the 12-year education programme, transformation of the views on children, engagement of trade unions and media, and stronger monitoring via creation of larger number of monitoring groups. In many ways, these recommendations reiterate the ideas from the previous NAP Phase, which also included working jointly with the media and unions, and whose awareness raising component achieved questionable results *(NAC WFCL Secretariat , 2008).* The review does not contain clear analysis of what approaches were less successful, what needs to be changed, and why a different outcome could be expected as a result.

Analysis of Policy Impact

Policy impact analysis in the existing evaluations is weak, non-existent, or confused with description of deliverables and outputs. Attempts at policy impact analysis are visible in the M&E reports on the two current National Action plans described above, but suffer from many weaknesses. Even the relatively most advanced studies – the 2008 WFCL evaluation – describes achieved results by individual policy objectives mostly in terms of various activities which were implemented and contains very few arguments to show whether these activities actually influenced the situation as planned. For example, the report assesses progress under the objective "Increasing People's Awareness" by listing the various components of the respective awareness campaign, the institutions involved, and the methodologies which were used (thereby, mostly focusing on the outputs and deliverables of this

work). However, the conclusion about the actual results of the campaign is based on highly indirect evidence ("Increased awareness is indicated by the emergence of groups of common interest that work together to raise awareness of vulnerable children"). It also acknowledges that "documentation of these activities" is weak *(NAC WFCL Secretariat , 2008)*.

Reliability of Assessments

Reliable data sources and communication channels are universally recognised as key bottlenecks to thorough evaluations at all levels. The 2004 Concluding Observations on Indonesia's CRC compliance noted that poor data collection systems were one of the weakest spots in the policy monitoring process, recommending that "appropriate data and indicators for M&E of policies, programmes and projects" be developed by the state partners *(Committee on the Rights of the Child, 2004)*. Since that time, despite the progress in developing respective databases and systems, problems still remain, as was regretted by the alternativeCRC report six years later.This most recent alternativereport describes how lack of coordination in data exchange and lack of disaggregated statistics makes it difficult to undertake comprehensive assessment in the child rights areas. *(Save the Children, 2010).*

- On the one hand, the Bappenas mobilised immense effort to build evidence-based for its M&E, including the usage of independent data sources and regular cooperation with the Statistics Committee *(Badan Pusat Statistics, the BPS)* and international observers. However, in its own account, *Bappenas* complains over lack of cooperation from the part of line-ministries and their unwillingness to supply administrative data.

- The KPAI, which is formally mandated to consolidate CP data, quotes various statistics in its press releases but given that full versions of its reports are not available publicly, the quality of these analysis is difficult to assess.

- The issue-based reviews are very explicitly regretful about the quality of data. The assessment on WFCL, which is used as a major example in this section, describes that data constraints are one of the key barriers to policy planning in this area, with the vital statistics lacking or being outdated *(NAC WFCL Secretariat , 2008).*

INDICATOR 1.6.
SYNERGIES ACROSS SECTORS

The following arrangements have been achieved:	C(1.5)
· Existing social protection and employment measures are designed in ways which incorporate and reinforce child protection impact and are sustainable in the long-run	No, extended (0.25)
· In the ministry with lead Justice role and the ministry with lead Interior Role, adequately resourced structural units are specifically dedicated to issues related to specific vulnerabilities faced by children within the justice system and policies have been developed to provide a range of preventative, promotional and protective services for children in conflict with the law	No, extended (0.25)
· Health sector strategies and programmes explicitly recognise roles and responsibilities of health professionals in safeguarding children, helping to ensure appropriate and timely interventions, awareness raising and data collection	Yes (1)
· Education sector policies include guidance and support to teachers, school governors and volunteers to support child protection within education settings (codes of conduct, procedures for dealing with protection concerns etc)	No (0)

Reinforcement of child protection in social protection programmes

Indirect Impact

Despite dramatic improvements, a third of Indonesia's population still lives either below the poverty line or under permanent risk of falling into poverty. Strong macroeconomic and fiscal performance in the last decade, combined with a political commitment to reforms, helped Indonesia to cut poverty by half (from 23.4% in 1999 to 12.5% in 2011). However, for millions of families in Indonesia, economic hardship and social exclusion remains to be a contributing factor which may potentially aggravate the risks of child labour, abuse, neglect and trafficking, or obstruct access to protective services. Around 12% of the country's population live below the poverty line, but 26% more are living so closely to that line that even a small extra shock can push them into extreme destitution. Surveys show that half of the Indonesians who live in poverty today were not poor the year before, illustrating the scale of the hidden vulnerability *(World Bank, 2012).*

Current social protection measures need significant reforms to cover enough people, reach the most vulnerable and protect them from exclusion and marginalisation. The Government has introduced a range of important and innovative social protection programmes to address the risks, both via direct benefits and subsidies, and via complementary measures to improve employment opportunities, extend access to services and information, and engage the social capital of the communities. These programmes had mixed success and were, above all, insufficient. According to the recent multi-partner study led by the World Bank, existing programmes could be reformed to achieve significantly improved targeting and coverage. But most importantly, it would be difficult to ensure consistent and robust support to the vulnerable families across country and covering a comprehensive range of risks without establishing a significantly wider social safety net on top of the existing household-based programmes.

- **Absence of a wide and robust social safety net.** All current social protection programmes are household-based and do not cover some of the core risks, such as sudden or temporary loss of job, disability, underinvestment into early childhood education.

- **Gaps in the employment programmes.** While a comprehensive safety net against unemployment has not yet been established, some measures are been developed to expand opportunities for vulnerable families suffering from multiple shocks including temporary or permanent job loss. In particular, the Government has begun, jointly with the ILO regional office for Asia and the Pacific and with support from the Government of Japan, to introduce integrated "Singe Window Services" in two provinces *(ILO Regional Office for Asia and the Pacific, 2011).* However, these measures are limited to pilot areas and still need to be scaled up.

- **Absence of rapid response measures for shocks and emergencies.** The current structure of the social protection programmes does not contain automatic triggers which would allow to quickly mobilise additional social assistance in the cases of macroeconomic shocks or emergencies.

- **Cost-ineffectiveness of the largest SA programme.** The programme which absorbs the bulk of social protection resources – *Raskin*, the rice subsidisation programme – is cost-ineffective, achieving very limited benefit despite the large investment. Reallocation of funds away from this programme towards emerging alternative better-targeted initiatives would bring palpable improvement and is strongly recommended.

- **Mixed success of the CCTs promoting better health and education choices.** Considerable weaknesses are also registered in the PKH programme, which is a conditional CCT to support investment into health and education by the poorest households.

- Theoretically, this programme should be producing considerable indirect safeguard against child protection violations by transforming household dynamics, attitudes to children, and their resilience through involvement into education.

- In reality, the programme is not working entirely as planned. The 2012 study showed that most of the positive income it achieved was in the health area, while influencing education choices turned out to be more difficult. The size of the benefit is much smaller than the average size of school costs (fees, transportation and uniform), which means that some beneficiaries still find it impossible to send their children to schools. A contributing barrier is the fact that the PKH is not well coordinated with a parallel scholarship programme, BSM, the two programmes often target different individuals, failing to reinforce each other. The timeline of PKH disbursement was also suboptimal, with benefits not reaching the families prior to the beginning of the school year and demotivating them to invest into schooling *(World Bank, 2012).* Moreover, some studies showed that the PKH had a questionable impact on the intra-household gender relations, given that the male household heads were not actively involved *(Arif, 2013).*

- Overall, this programme is assessed by most studies as promising, but requiring some reorganisation, better coordination with other instrument and national scale-up. At the moment, it covers a limited share of population in the pilot areas and receives only 4% of the entire social assistance budget *(World Bank, 2012).*

Direct Impact

An incipient PKSA Programme is an example of direct SP intervention with direct child protection benefits. In addition to the indirect transformative impact which should be expected from generic social protection measures, some social protection programmes could directly target children at risk of maltreatment. One such programme in Indonesia is the PKSA initiative (*Program Kesejahteraan Sosial Anak* or "Social welfare programme for children").

- **Five vulnerabilities covered.** The programme distributes cash transfers to five vulnerable groups of children: neglected children, street children, children in conflict with the law, children with disabilities, and children in need of special protection which include children victims of trafficking, abuse affected by HIV/AIDS and children from indigenous communities.. The programme was introduced in 2009 as a pilot project in 24 provinces.

- **Innovative design.** An important feature of this programme is that cash transfers are allocated on youth savings accounts and combined with assistance to the children and families to raise their resilience and to access basic services. This is done with the help facilitators: social

workers who act as gatekeepers of the cash transfers as well as service providers (although their role is expected to gradually shift closer towards gatekeeping).

- **Success despite initial shortcomings.** The programme is criticised for low coverage, weak outreach, and poor coordination with other related schemes, but is generally recognised as innovative and having many advantages, such as being the only programme which has an element of hiring highly skilled and relatively well paid social workers as facilitators *(Center on Child Protection, 2011)*.

Capacities Dedicated to Child Protection within Justice Sector

Indonesia's Justice Sector remains highly under-resourced for treating child protection issues – in terms of staff, skill, institutions and rules. Indonesian Government is aware of the specific concerns by the children facing the justice system – as victims, witnesses or perpetrators. Much work was undertaken in the last years to develop regulations, services and skills to provide such children with adequate support and protection. However, as of late 2013, practical implementation of these reforms was still at an early stage.

Women and Children Service Units (UPPA)

The UPPAs are a promising new model introduced in 2007. The Women and Children Service Units (*Unit Pelayanan Perempuan dan Anak* or UPPA) are units within police stations at regional, city and district level, overseen by the Police Criminal Investigation Department. They were established in 2007. The UPPA officers are female, and their responsibility is to receive complaints over sexual assault and trafficking. The victims can also seek temporary shelter in the UPPA units. The UPPAs are a promising model, which is supposed to gatekeep and use multiple approaches to process child protection cases. The UPPSs are also responsible for dealing with juvenile offenders, exploring alternative options other than restorative justice, communicating with them in a skilled and professional way, and referring them for extra help where needed *(UNICEF; Universitas Indonesia; Columbia University Mailman School of Public Health, 2010)*.

The quality of UPPAs needs much further support and their coverage needs to be scaled up. As of 2012, the number of UPPAs across Indonesia was estimated at 300, implying that not all communities had access to such services. Amnesty International also described these units as highly under-resourced, poorly qualified, and dangerously located within the same premises as regular police stations *(Amnesty International, 2012)*.

Wider System of Juvenile Justice

Practical improvements in the last years have been largely ad hoc. Legal treatment of children in conflict with the law (*Anak Berhadapan dengan Hukum, ABH*) was significantly improved in the recent years; however, the actual changes were often not entirely systemic. For example, UNICEF reported in 2013 that, as a result of bilateral and multilateral agreements between government and international agencies, individual actions were taken to improve the situations of many children, such as release of some detainees from correctional centres by specific Presidential Order and introduction of a reform roadmap for corrections institutions ("Corrections Blue Print").

The new Juvenile Justice Law will become effective in 2014, but much work needs to be done for its practical implementation. Most importantly, in July 2012, Indonesia has introduced the new Juvenile Criminal Justice System Law (No 11/2012). The law introduces a range of international standards into the juvenile justice system, and increases the age of criminal responsibility from 8 to 12 years. *(UNICEF, 2013)*. The Law should go into effect in July 2014.

Criminal Procedures Against Gender Based and Domestic Violence

Treatment of victims and witnesses of such crimes significantly improved since 2006, but remains problematic. The improvement is linked to approval of the Domestic Violence Act and the Witness and Victims Protection Act (Law No 13/2006). However, as of 2012, these progressive acts were contradicting the outdated norms of the country's Criminal Procedure Code and Criminal Code (e.g. the requirement for the victim or witness to be present in court to testify) and complementary amendments to these other regulations were not yet approved *(Amnesty International, 2012).*

Synergies with the Health Sector

Health Service Supply Issues

Indonesia's healthcare system suffers from grieve gaps and distortions:

- **System management challenges after decentralisation.** Decentralisation and privatisation of health services which began in 2001 significantly complicated sector management and despite large increases in funding in the last decade, there was very limited improvement in health outcomes. *(Heywood & Choi, 2010)*. One of the major shortcomings was poor transparency and accountability of service delivery at the local level, which resulted in the growth of out-of-pocket payments (creating the risks of catastrophic healthcare costs for vulnerable families), poor quality, and lack of attention to prevention and public health measures *(Kristiansen & Santoso, 2006).*

- **Exceptionally low supply of health services.** Until now, the supply of health services in Indonesia also remained very low compared to neighbouring countries (the number of hospital beds per capita in 2012 were three times lower than in Malaysia and 3.5 times lower than in Thailand; number of doctors per capita was two times lower than in Malaysia and three times lower than in India) *(Ashcroft, 2012)*.

- **Highly unequal allocation across country.** The allocation of healthcare services remains very unequal across the country. Rural and remote areas have much poorer supply of services, although situation has been gradually improving in the last years. Distribution of midwives and nurses is somewhat more favourable compared to the distribution of doctors and specialised care, but is still very unequal. Finding medical staff for remote areas became even more difficult with the abolition in 2007 of the *Pegawai Tidak Tetap (PTT)* program which required compulsory three-year placements of fresh medical graduates to required posts. Programmes to attract midwives and nurses were more successful, but given the poor regulatory system this resulted in situations where midwives and nurses were the only medical specialists available and engaged in practices which created serious concerns and risks for the patients *(World Bank, 2009)*.

The Government is working on continuous reforms, with fundamental changes expected in 2014. To expand population coverage with basic health services, the Government is implementing a massive reform of the health care system starting in 2014. The reform introduces a universal health insurance for the bulk of the population to be provided through a national social security system *(Sistem Jaminan Sosial Nasional, or SJSN)*. Previously, health insurance was available only to the poorest and the civil servants. The reform also assumes additional investment into community infrastructure and preventive programmes.

Low access and utilisation of health services are in themselves a bottleneck for frontline child protection. From the perspective of child protection support, the current distortions in the health system primarily mean that the most vulnerable communities and population groups usually have very limited access to any health professionals as such. Districts and cities have hospitals (which provide a range of services including some forms of concealing and prevention), but at the sub-district level health services are provided by the community health centers *(Puskesmas)* and integrated health posts *(Posyandu),* which suffer from the weaknesses described above (little or absent staff with poor qualifications). High expectations of out-of-pocket payments and low trust in the medical staff lead to very low levels of service utilisation.

Health Sector regulations: Problems and Opportunities

Protecting children from significant harm is a principle formally embodied in the Indonesia's health sector laws. Framework Healthcare Law (No 36/2009) operating in Indonesia since 2009 contains provisions which proclaim every child's basic right

for healthy development and protection against significant harm. Article 132 of the Law states that "Children born must be raised and cared for in a responsible manner so as to enable the child to grow and develop healthy and optimally". Moreover, Article 133 specifies that (1) "Each infant and child has the right for protection and avoidance of any form of discrimination and violent act that may disturb its health" and (2) "The Government, regional government and community shall be obliged to ensure application of protection of infant and children and provide health service according to what is required" *(Government of Indonesia, 2009)*.

As was discussed earlier, the Government has also incorporated child protection objectives within some of the health sector action plans:

- The National Programme for Indonesian Children 2015 (PNBAI) contained a specific sub-programme for child health,which focused on the health-related MDGs but included targets related to adolescent reproductive health education, prevention of child neglect and maltreatment through promotion of behaviour changes, nutrition programmes and advocacy, as well as overall improvement of health infrastructure and community engagement.

- The 2005-2015 National Action Plan on Reproductive Health specified priorities for developing Adolescent Reproductive Health (including prevention of child marriage and integrating adolescent reproductive health issues into health services scheme) and Women Empowerment (including support to reorientation of household gender patterns and actions against domestic violence).

Actions were taken to introduce practical implementation tools to mainstream child protection into health service provision. There is an existing guidelines for early detection, referral and reporting of child abuse by health professionals. As a result of this, MOH targets that by 2015 all community health centers *(Puskesmas)* are able to do early detection and referral.In 2013, MOH issued Ministerial Decree on the Obligation of Health Service providers to provide information on suspected child abuse[28].

Synergies with The Education Sector

Indonesia has introduced a range of regulations which establish general principles for protection of human rights in educational settings. In particular, the 2003 Act on National Education System states that education in the country should be "conducted democratically, equally and non-discriminatively based on human rights, religious values, cultural values, and national pluralism" (Article 4) *(Government of Indonesia, 2003).* Provisions of this law were further elaborated by the particular regulations issued by the Ministry of Education and Culture *(Kementerian Pendidikan dan Kebudayaan* or *Kemdikbud)* and the Ministry of Religious Affairs *(Kementerian*

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28 http://www.hukor.depkes.go.id/up_prod_permenkes/PMK%20No.%2068%20ttg%20
    Kewajiban%20Memberikan%20Informasi%20Kekerasan%20Terhadap%20Anak.pdf

Agama or *Kemenag)*. Importantly, the framework law on Child Protection outlined core child protection expectations towards the education system. Article 54 of the Law established that "A child attending school must be protected against violence and abuse from teachers, school managers, and schoolmates both in schools and in other educational institutions." The Law also listed basic education services which should be available to any child regardless of their life circumstances (such as, for example, children living in remote areas, conflict or disaster zones, neglected and abandoned children, children from poor families etc) *(Government of Indonesia, 2002)*.

However, current regulations lack specific implementing rules and are not achieving practical results. Interviews and legal analysis conducted under the 2012 UNICEF review showed that the approach to child protection in the education settings in Indonesia often treats the concept of protection as safeguarding the right of children to education rather than protecting them from significant harm.Survey in this study also showed that children do not feel safe in their schools and are afraid to report any incidents of maltreatment in the school setting. Violations also seem to be frequently biased towards religious and ethnic minorities, children with disabilities and learning problems. *(UNICEF EAPRO, 2012)*.

This situation and perspective is augmented by the weaknesses in the regulatory system. The 2012 UNICEF study, quoted above, which looked at child protection situation in six countries in the EAP region and included a special mapping for Indonesia, identified a range of particular weaknesses in the Indonesian legal environment, listed below.

- **Specific policy:** Despite the introduction of the generic laws, Indonesia does not have a specific policy for protecting children in education settings.

- **Guidelines for practitioners:** According to 2012 UNICEF assessment, the current system lacks practical guidelines for education professionals instructing them on how to identify cases of child protection violations and how to deal with such instances.

- **Sub-national rules:** It should also be reiterated that education is one area where sub-national authorities in Indonesia may develop their own regulations with potential impact on child protection issues, which may not necessarily be submitted for review on compliance with national policies as was discussed in Indicator 1.1.

- **Corporal punishment:** Indonesia has not specifically prohibited corporal punishment either at home or in the school setting. It also has no specific regulations or policy to prohibit bullying, and no specific rules to deal with student absenteeism (which may be a sign of physical abuse or forced labour at home, fear of bullying in the school or even having been trafficked).

- **Criminal checks for new teachers:** The teacher recruitment rules do not require criminal checks (apart from private schools), and the 2012 UNICEF report identified evidence that sometimes even when schools are aware of poor

reputation of the new teachers appointed to them by local authorities they do not have the power to refuse such appointments.

- **Code of conduct for teachers:** Indonesia is reported to have a code of conduct for the teachers, but the 2012 UNICEF study found that the teachers were usually not aware of its existence and content. The study stated that in the research sample "no teacher or principle had read the code nor was it available in any schools visited".

- Response and referral: The current systems of referral for violations in school settings in Indonesia is informal and assumes that "sexual abuse or serious injury tend to be referred to police, whereas instances of corporal punishment or verbal abuse are referred to local education office or school principal". It is also unclear whether it is consistently applied. There is no practice of appointing school focal point for referring cases of child abuse or maltreatment.

- **Prevention systems:** School curricula (national or local) do not contain even minimal information for children to explain the nature of key risks, principles of self-protection and advice on how to deal with problematic situations.

- **Case records:** There are no rules for systemic recording of incidences of child protection violations (not least because they tend to not be regularly reported through formal channels).

At the same time, some of the child protection initiatives begin to take root in Indonesia's education systems. These success stories include cases of good cooperation between teachers and parents, as well as between the schools and external multi-agency networks of child protection responses. However, these best practices are still limited to pilot projects, big cities and urban areas, requiring national scale-up and more systemic application.

- **Links to external support agencies:** Indonesia has made some progress in establishing external interdisciplinary systems to take forward child protection cases identified by the schools (comprising police, health workers and social welfare services). This includes instances of coordination between departments at the district level, although such cooperation is not yet systemic. Indonesia is also one of the countries which has a relatively advanced programme of emergency hotlines which is piloted in five cities and operated by skilled social workers.

- **Parent-Teacher Associations:** Indonesia has been relatively active and quoted as a best practice case in the area of facilitating Parent-Teacher Associations (PTAs). According to the 2012 UNICEF study, PTAs exist almost in any class in the urban schools; moreover, they are used by the teachers as opportunities to discuss child protection concerns including domestic violence.

DOMAIN 2
PUBLIC FINANCIAL MANAGEMENT

INDICATOR 2.1.
STRATEGIC BUDGETING BASED ON REALISTIC COSTING

The country's budgeting system includes the following:	C(1.25)
· The Government operates under a multi-year financial forecast, on a rolling annual basis, which includes expenditure estimates for child-protection related programmes;	No, extended (0.25)
· Links between multi-year estimates and subsequent setting of annual budget ceilings for child protection are clear and differences explained;	No, extended (0.25)
· The Government's child protection strategy is costed, these costs are explicitly considered during the budget process and feed into agreed priorities in resource allocation;	No, extended (0.25)
· Policy-makers in child protection have regular supply of data which allows them to track utilisation of assets, expenditure and budget execution by child protection programmes and facilities	No, extended (0.25)

Multi-Year Financial Planning

As was discussed in earlier sections, Indonesia has a long-standing tradition and an elaborate system for forward planning. In particular, since 2004, the country operates under a comprehensive multi-horizon planning system comprising the National Long-Term Development Plan (RPJPN 2005-2025) and a subset of National Medium-Term Development Plans including the current (PRJMN 2010-2014). However, financial dimension of this planning is a relatively recent endeavour. In particular, the current approach to multi-year expenditure planning was introduced only in 2009 through a pilot in six ministries, and the first comprehensive MTEF was incorporated into the RPJMN 2010-2014 and was launched within the 2011 annual budget.

The current, recently introduced, system of strategic financial planning is based on a forward fiscal capacity assessment by the Ministry of Finance which establishes the available resource envelope. This platform includes a Medium-Term Macro-Economic Framework (MTMF) and a subsequent Medium-Term Fiscal Policy Framework (MTFF), resulting in a Medium-Term Budget Framework (MTBF) – a brief summary of key budget totals for the next year (overall revenues, expenditures, deficit and its funding). The MTBF is not broken down by individual functions.

Since 2011, the country also uses an MTEF which is supposed to be linked to annual budgets of line ministries. The MTBF helps the Government to formulate indicative ceilings for the line ministries, although PEFA concluded that the links between the MTBF and these ceilings are not clearly spelled out. Based on these ceilings, each line ministry prepares rolling 4-year financial work plans which are supposed to be linked to their annual plans as well as the RPJMN. Jointly, these financial plans represent the country's MTEF. The MTEF consists of programs, targets and indicators which are coordinated with the RPJMN. The first forward 3-year estimates were prepared by line ministries in 2011, to be presented as part of their annual budget proposals (although only annual budgets are approved by the Parliament).

The MTEF is not comprehensive. As of 2011, the MTEF covered only those expenditures which were administered directly by central Government ministries and agencies, as well as public debt payments (around 44% of total budget spending). The MTEF excluded transfers to sub-national governments and the subsidies. Moreover, the MTEF did not include comprehensive forward estimates of investment projects, including their expected recurrent costs in the future.

It is also a very recent initiative and its practical application still needs to be tested. The very recent experience of multi-year financial planning and lack of clarity on its further application prompted PEFA and the Government to agree on a still relatively low C score for this indicator, implying further work on its fine-tuning and development.

Links Between Multi-annual Plans and Annual Ceilings

Lack of clear links between MTBF, MTEF, ministerial expenditure ceilings and annual budgets was one of the weaknesses specifically pointed out by 2011 Public Expenditure and Financial Accountability (PEFA) assessment. In other words, budget circulars at the time did not clearly explain how fiscal estimates are translated into expenditure frameworks, and what is the basis for calculation of annual plans. At least some of the annual ceilings seem to be primarily based on historical figures (actual expenditure levels from previous years), adjusted for inflation – rather than based on assessment of policy priorities and targets.

> *"As a state, we have a multi-year financial plan for the Government. Hopefully you remember that we are planning for that every year, but we also have forecasts for the coming three years – for all sectors including Child Protection. But according to me, honestly… the quality of this financial planning cannot be guaranteed. It's only a certain number, an amount, and we say, just put a big amount, or a middle amount, so that it's more in this year's budget, that's the thing we always do, and then we recalculate. So, whether it's realistic, whether it is according to our needs, I am not really sure. I am not sure that planning is based on those kinds of things". (FGD member)*

Costing of the Child Protection Strategies

Costing of policy priorities and strategies is generally a new approach for Indonesia and needs much strengthening. As was described earlier, the current long-term financial planning framework requires all line ministries to cost multi-year financial implications of their strategic plans according to the priority programmes listed in the RPJMN. These forward estimates include detailed costs of programmes and activities down to their individual "components" (or outputs).

PEFA criticised current costing of ministerial strategic plans primarily for their failure to duly incorporate recurrent cost implications of the planned investment projects. Proposals for new capital spending such as new infrastructure are included in the budget estimates, but there is usually no discussion on the extra costs which would have to be added to the budgets of further ears once these new infrastructure starts to function (e.g. what would be the cost of maintaining the buildings).

Lack of pro-active well costed and realistic budget proposals from line ministries is one reason why Indonesia's public budget continues to suffer from a highly sub-optimal expenditure mix. World Bank notes that overall across sectors, Indonesia tends to overlook important social and infrastructure programmes (apart from education, which has the largest share of expenditure – 13.9% of all spending in 2005).

"For planning the financial costs of child protection, I am confused. For example, to plan for the activity for prevention, actually we have to know how big is the data, the children in risk, the prevalence of the group at risk, and then also prevention group which is generally for handling the cases, we have to have trends, data, data trends on cases, or prevalence of cases, but the data we don't have, we don't have complete and comprehensive data, that's number one.(FGD member)

Number two: it should be a good planning. We have to have a kind of standard, activity standard, for example in prevention, rehabilitation, reintegration. In my opinion, although we have the SPM (minimum standard of services).… But frankly speaking if you ask me to plan for the very details, we have difficulty. (FGD member)

We plan for the child cases, to handle child cases. If we want to increase the budget, it looks like our performance is based on handling the cases. If we have so many cases, it's just a kind of giving incentives for more cases! So, we feel guilty for that. If the work performance is based on the case handling. But if we don't allocate it, the budget, and then if we have so many cases at the time, we are not able to handle it. So what kind of approach that we can do? I think we don't have a model, a planning model, an accurate planning and costing model for child protection". (FGD member)

Additionally, under-investment in health services and public infrastructure has a strong indirect negative impact on the child protection system, hindering its critical preventive capacities at the local level. In particular, lack of access to basic health services (as a result of regional disparities and low funding) is a gap for organisation of due cross-sector cooperation on the ground to prevent and protect abuse and exploitation.

Access to Budget Statistics by Child Protection Policy-Makers

Scope, quality and internal consistency of fiscal data on service provision in Indonesia presents a mixed but rather unsatisfactory picture. While some aspects of financial reporting and recording are rather exemplary (such as growing diligence in submission of reports and their public disclosure), other critical dimensions of financial reporting are desperately lacking. As described below, these remaining gaps include essentially non-existent capacity for consolidation of fiscal data at the sub-national level and including front-line service providers, but also continued issues in the quality of reports at the central level. Given the amount of child protection expenditures delegated to sub-national authority, these weaknesses represent a major bottleneck for policy-makers to undertake whole-of-government analysis of sector-wide spending.

The Table below summarises results on relevant indicators in the two latest assessments and is followed by detailed description. The key Indicator with relevance to child-protection policy making data – PI-23 or "Availability of information on resources received by service delivery units", which covers coordination across layers of government – features the lowest score of D. However, this poor result deserves a positive disclaimer given the success in overall improvement of reports quality.

PEFA Indicator		2007	2011
Comprehensiveness and Transparency			
PI-7	Extent of unreported government operations	n/a	C +
PI-10	Public access	B	A
Accounting, Recording and Reporting			
PI-22	Timeliness and regularity of accounts reconciliation	B	B
PI-23	Availability of information on resources received by service delivery units	D	D
PI-24	Quality and timeliness on in-year budget reports	C +	C +
PI-25	Quality and timeliness of annual financial statements	C +	B +

Comprehensiveness and Transparency of the Budget

In spite of much progress to transparently reflect all expenditures within the budget, significant grant-funded operations seem to remain off record. Overall, budget accounting in Indonesia has significantly improved in the last years. The Government has successfully introduced a Treasury Single Account (TSA) and included most of the off-budget accounts and operations of the ministries and agencies into financial reports and budget documents. In particular, line ministries have undertaken much work to record and report their expenditures funded by development partner grants. However, a lot of such grant-funded expenditures still remain unreported and do not feature in the fiscal report.

Existing fiscal information is available to the public. Public disclosure of the available fiscal information is rather strong, scoring the highest A in the recent PEFA assessment. The annual budget, the half-year financial reports and external audit reports are available on-line, and major public procurement decisions are published on the web-sites of respective agencies.

Accounting, Recording and Reporting

Budget reporting at the central level has improved significantly, but quality of in-year reports is still questionable. Between the two latest PEFA assessments, the quality of budget reports became much stronger: unofficial accounts held by ministries and agencies were closed; spending units started to reconcile their accounts on monthly basis. Importantly, annual budget reports became more comprehensive, starting to provide full information on expenditure and assets. For all years, annual reports were submitted according to schedule. At the same time, submission of in-year (half-annual and quarterly) reports was less accurate. These in-year reports are submitted by line ministries to the Treasury so that the Ministry of Finance produces an accumulated financial statement. The quality of these reports seems to remain sub-optimal, with considerable differences between the Treasury and Ministerial records. This creates difficulties for timely comparison of actual execution with the budgeted benchmarks – a significant weakness, especially given the consistent underspent by most line ministries which requires management throughout the year.

At the same time, major gaps still remain in the process of consolidating financial data produced by the service delivery units and across budget tiers. Lack of coordination between the financial accounting systems at national and sub-national level leads to a situation where fiscal information on front-line service provision is essentially non-existent in accurate consolidated form.

- Budget operations at the central and sub-national levels are captured by two different accounting and reporting units, which are poorly coordinated and not consolidated at any level. The central government funds are recorded within the Treasury Payment Office *(Kantor Pelayanan Perbendaharaan Negara,* or *KPPN)*, while local budget operations are recorded by respective local treasure offices. Within the 2011 assessment, PEFA found no evidence of any unified version of these reports.

- Moreover, many sub-national frontline providers of services have direct access to additional off-budget sources of funding, which are not recorded by authorities at any level and frequently remain outside of fiscal reports. For example, the current accounting system does not provide any accurate estimate on the total amount of funds spent in the primary schools or primary health centres.

- Although this problem was pointed by earlier assessments, no palpable changes or reforms have occurred within the national accounting system *(Sistem Akuntansi Instansi, SAI)* or sub-national financial information system *(Sistem Informasi Keuangan Daerah, the SIKD).*

INDICATOR 2.2.
TRANSPARENCY AND CREDIBILITY OF BUDGET ALLOCATIONS

Financial planning system allows spending agencies to be certain that budgeted allocations would be actual available during the year. This is reflected in the following:	B(2.0)
· Variance in composition of expenditure out-turn compared to original approved budgets (excluding contingency items) across budget heads (PEFA PI-2);	PEFA D (0.0)
· The stock of expenditure arrears in child-related spending is low and decreasing;	PEFA B+ (0.75)
· Budget formulation and execution is based on classification which complies with GFS/COFOG standards and has sufficient detail to produce consistent documentation for child-protection expenditure analysis;	PEFA A (1.0)
· Spending units (MDAs – ministries, departments and agencies) operate under reliable cash flow forecasts, effective system of expenditure commitment controls and are regularly audited.	No, extended (0.25)

Expenditure Outturns Compared to Budgets

Actual composition of spending by sectors in Indonesia differs from approved budget so significantly that it was highlighted as one of the country's key PFM weaknesses. Relative shares of budget allocations by various sectors represent government's policy priorities or policy intent. This intent can be credible only if the composition of expenditures which was approved as a budget plan remains the same in actual spending patterns. As of 2011, achieving such consistency has been particularly difficult for Indonesia. The latest PEFA assessment concluded that considerable differences between planned and actual expenditure composition were one of the key weaknesses in the country's PFM system, scoring a D. In 2007-2008, overall actual expenditures differed from plan by 4.1% and 27.9%, respectively, but the variance of allocations across sectors was 20.4% and 50.1%. This means that the

spending increase was not shared across sectors in line with the budgeted priorities; on the contrary, the actual composition turned out to markedly differ from the original intent. In each of these years, the excessive variance in allocations was more than 10%, the lowest standard in the PEFA assessment. Moreover, credibility of relative sector priorities deteriorated in comparison to previous years (this indicator scored C in the previous PEFA assessment covering 2004-2006).

Credibility of planned priorities is poor because key line ministries consistently underspend their allocations. Credibility of planned spending priorities scored so low and deteriorated in spite of the fact that Indonesia was able to forecast its overall revenues very accurately (scoring an A) and its capacity to predict overall expenditure levels was also improving (raising from D to C). In other words, while the budget overall totals are rather credible, the sector-level composition is not, and is deteriorating. While it is tempting to explain the high variation with the impact of the global financial crisis, it accounts only for a certain share but not the entire problem. In particular, the crisis did distort expenditure composition by automatically raising amounts of the subsidies calculated based on the international fuel prices. However, detailed analysis of disaggregated expenditure by PEFA showed that the other major reason for the variable composition of priorities is significant under-spending by individual ministries and agencies, resulting in effective re-allocation of funds between budget heads.

Underspending at sector level results from excessive expenditure controls and administrative rigidity. Throughout 2004-2009, line ministries and agencies in Indonesia have consistently underspent their budgets, even during the stimulus period. As will be discussed in further sections, one reason for such underspending at sector level is the on-going policy for "tighter expenditure controls and compliance, rather than on delivery and performance". Strict and rigid spending procedures, including tight procurement rules, combined with weak capacities within line ministries, simply make it difficult for the sectors to utilise even those budgets which were planned for their fields in the beginning of the year.

The underspending affects all types of expenditure, but capital projects suffer most severely. Underspending and lack of credibility of budgeted amounts creates adverse expectations and spending cycles, which makes it very difficult for the agencies to engage in capital projects and to invest in infrastructure, especially if they stretch beyond one year, disrupting multi-annual commitments.

Expenditure Arrears

The current stock of expenditure arrears in Indonesia seems to be very low across all agencies, including child protection related. In the 2011 assessment, Indonesia's PFM system had a very low level of unpaid expenditure claims which could be classified as arrears (0.7% of total spending in 2009), scoring B+ for the respective PEFA indicator PI-4. To a large extent, this result was explained by continued application of the cash-based accounting system at the time of that assessment. The

cash-based budgeting records expenditures only at the time when they are actually paid in cash. An alternative, accrual-based method, accounts expenditures at the time when they are incurred, regardless of whether the actual cash was transferred or not. Indonesia is currently changing its budget accounting approach to replace cash method with accrual method by 2015. However, while cash-based accounting is applied, payable arrears – that is, expenditure commitments which were not paid out - are not technically possible. However, PEFA believes that safeguards against arrears in the current PFM system are rather strong, such as strict annual spending limits provided to the key ministries and agencies.

Budget Classification

A budget classification which corresponds to international standards is recognised as one of the major strengths of the PFM system. Generally, the system of financial accounting in Indonesia is described as highly accurate and good quality. In particular, classification of budget expenditure includes a functional classification which follows COFOG but has an additional function for Religion. Detailed technical description of the functions and sub-functions is clearly described in the Chart of Accounts, which is consistently applied for preparation, implementation and monitoring of the budget.

Cash Flow Management and Commitment Controls

Disbursement of funds to spending units and service providers in Indonesia suffers from disruptions and inconsistencies. While a set of new rules, regulations and bodies were set up to facilitate the process, lack of skill and excessive complexities often make it difficult for the officials to comply and ensure continuity of funding flows even when resources are available within the budget. The Table below summarises key results achieved by Indonesia for the four relevant Indicators, followed by explanations of the detail.

PEFA Indicator		2007	2011
PI-16	Predictability in the availability of funds for commitment of expenditure	C +	C +
PI-18	Effectiveness of payroll control	D +	C +
PI-20	Effectiveness of internal controls for non-salary expenditur	D +	C +
PI-21	Effectiveness of internal audit	D +	D +

Cash Flow Management

Cash flow forecasting is problematic mostly because of the cumbersome spending procedures. It was already noted, that line ministries and agencies in Indonesia suffer from poor cash disbursement rates and that funding flows are frequently disrupted. However, it seems that these bottlenecks in disbursement are rarely caused by absence of funds or budget cuts, and are mostly related to cumbersome

spending procedures. Some of these blockages are related to cash flow forecasting and management procedures.

- **Cash disbursement is based on complex scheduling rules including monthly, weekly and daily planning.** On the one hand, Indonesia's system of cash disbursement to spending agencies provides a reliable framework for the line ministries to be able to receive funds against their claims throughout the year. By the end of December, every MDA is provided with a detailed Budget Allotment Document, or spending warrant, (Daftar Isian Pelaksanaan Anggaran, DIPA), which informs this agency of its annual spending limit. The DIPA is a very detailed document which includes monthly projections by expenditure functions, sub-functions, programs, activities, and outputs of the expenditure classification. The overall annual budget is also usually revised in the middle of the year, but this process is described as open and transparent, and the ministry budgets are almost never cut.

- **Spending units often find it difficult to adhere with cash disbursement requirements and may suffer from cash shortages even when funds are theoretically available.** Despite these detailed plans, MDAs seem to still suffer from poor cash flow management. During the year, once a month, all spending agencies need to update their DIPA, through a special newly set up IT system (Aplikasi Forecasting Satker', AFS), indicating their monthly, weekly and daily funding needs.Apparently, this task seems to be very difficult for most spending agencies, who frequently delay submissions and risk disruptions in funding flows. This means that while funds are available in principle, they might not be readily provided given the administrative difficulties of complying with the financing procedures.

- **Ministries and agencies suffer from poor absorption capacity, not having enough trained staff to duly process spending documentation.** World Bank noted in 2007 that most line ministries have very poor capacities for planning and procurement, especially for project implementation. Additional sourcing and training was recommended in this area, e.g. through Indonesia's Public Administration Institute (LAN) *(World Bank, 2007).*

Commitment Controls

The system of safeguards against excessive or unsolicited spending in Indonesia is conceptually strong but needs better implementation and roll-out:

- **Payroll controls:** Control on payroll expenditures is based on an IT system of personnel management which links human resource accounting to respective budget allocations. The system is overseen by the Government Employee Administration Agency *(Badan Kepegawaian Negara* or *BKN)* which records all civil service staff appointments throughout the government. This system is linked to personnel accounting systems at the level of the MDAs and their records of salary expenses. There are some discrepancies between the two, but the links are constantly improved. Each monthly payment request from an MDA to fund the salaries of its staff is verified for consistency with the

personnel data kept by the BKN. These checks also serve as an important safeguard to track and eliminate ghost workers.

However, this system of automatic payroll checks applies only to the central government and not to sub-national authorities, where commitment control on salaries is much weaker. Respectively, according to the PEFA report, in early 2007 the BKN identified that "out of 240,000 assistant teachers paid from the general allocation grant at the local level, 102,000 were fictitious".

- **Non-salary expenditure controls:** The system of cash disbursement in Indonesia's Treasury system effectively limits expenditures to approved budget ceilings and the available cash. This is achieved by commitment controls for all payments at the level of each spending agency. To facilitate this process and make it faster and more efficient, the Government has introduced a new Financial Management Information System (SPAN), which must have been rolled out nationally by 2013. The system included IT applications to quickly compare records of the budget ceilings, cash plans, available cash balances and requests for payments). Given the novelty of this system and still developing capacities for its application at national and local level, it was shown to still result in delays and inconsistencies, but these are expected to diminish with time and experience.

Audit

Financial audit remains one of the weakest spots in Indonesia's public financial management system:

- **Internal audit within ministries and local authorities suffers from poor skill of accountants and inspectors.** Internal audit of financial operations within line ministries and local governments is the responsibility of the respective Inspector Generals. The quality of their work was assessed in 2011 as very weak, despite continued attempts to introduce new regulations and clarify roles and tasks. Internal audit scored a low D+ in two consecutive PEFA assessment, without improvement. PEFA believes that the biggest obstacle is the low skill of respective ministerial staff. Most ministries and local authorities do not have enough trained accountants and/or trained auditors, and supplying necessary trainings, support and professionals is a long and challenging process.

- **Results of external oversight lack quality, readability and follow up.** External financial scrutiny is also sub-optimal:

  - Supreme audit in Indonesia is the primary responsibility of the State Audit Agency *(Badan Pemeriksa Keuangan, or BPK)*[29] . It works at the central level and also sub-nationally through a network of regional offices established in every province. Although BPK is developing very actively, its reports are often of questionable quality and were characterised by

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[29] The State Audit Law (No. 15/2004)

independent reviewers as not being "readable"*(World Bank, 2012)*. It was also noted that BPK reports are usually too general and follow very broad expenditure classifications, without detailed functional breakdown, which does allow meaningful analysis and conclusions.

- Several new or restructured institutions in the country share the function of supreme financial oversight. The Parliament (DPR) hosts the Budget Board (Badan Anggaran) and the Paliamentary Budget Office (PBO), which provide analytical and research support to endorse and oversee implementation of the State Budget. In addition, the Public Finance Accountability Board (Badan Akuntabilitas Keuangan Negara) is responsible for oversee and take forward the findings of the State Audit Agency *(Badan Pemeriksa Keuangan,* or *BPK)*. However, given the novelty of these bodies, their effectiveness still needs to be seen.

INDICATOR 2.3
SPENDING FLEXIBILITY

The following rules help spending agents to use funds flexibly to ensure most efficient delivery of services:	D (0.25)
· Child protection budgets represent a balanced mix of line items and lump sum (discretionary) appropriations, and key spending agents have sufficient flexibility to re-allocate funds between budget lines to ensure effective child protection responses at their level, including in cases of unforeseen events and contingent financial need;	No (0)
· There are clear, transparent and practical rules for in-year budget adjustment and revision, and key spending units are able to carry over unused funds from one fiscal year to another, subject to due checks;	No, extended (0.25)
· There are provisions in the PFM system which allow spending units to keep efficiency gains and use them for other purposes;	No (0)
· The budget includes sufficient contingency funds which could be quickly mobilised in cases of emergencies with child protection risks	No (0).

Discretionary Funds and Re-allocation Across Budget Lines

Spending rigidities at ministry level are a significant barrier to efficient service delivery. Rules for stronger expenditure controls introduced in the last years (such as new audit and accounting procedures) seem to have significantly complicated the spending process, making it rigid and inefficient. PEFA reports that "in practice, budget execution is plagued by delays because of cumbersome and rigid procedures and lengthy procurement processes". Budget documentation that needs to be prepared and processed by the spending units is excessively detailed and very long

to prepare. Complicated spending rules result in considerable under-spend at the level of line ministries and also skews expenditure cycle towards the end of the year. The spending rules also include specific constraints on resource re-allocation across budget lines which makes it difficult to deliver services efficiently and make policy-responses excessively risk averse and sluggish. PEFA stated in both of its consecutive reports that MDAs have highly restricted ability to reallocate resources during the year. This leaves them with almost no leeway to react to unusual circumstances or to adjust to program performance.

Spending is based on strict input-based line budgets with almost no flexibility throughout the year. All of the spending undertaken by the line ministries and agencies is based on the DIPA allotment plans. As was discussed earlier, the DIPAs are very detailed documents and they are explicitly input-based and structured against line items. There is no flexibility to shift resources across these strictly specified input-based budget lines. Any re-allocation requires a lengthy revision which needs to be voted by the Parliament.

> *Speaker 1: "We are a research institute, and in our view the problem of budgeting for child protection isn't far away from the overall government budget system. It's too rigid. But especially for child protection – it is multi-sector, and every sector is quite rigid, here and there we see a new need but we lack coordination across sectors, and it is not possible in our system…"*

> *Speaker 2: "Thank you – as a government we agree that financial planning and budget documents are too rigid, too rigid. And once something is stated in the budget document, we keep the spending unit strictly to account for that particular number. When I hear during implementation of the budget that there is a change and it needs revision, it cannot be accommodated. You only need to revise the entire budget. And the process of such revision takes time. Indeed, you have to go all the way through the Ministry of Finance, and usually other ministries cannot afford it, so they don't even try, they know what it is like with complicated bureaucracy. So, to implement our programmes effectively we really lack accountable but flexible budgets."*

Semi-autonomous bodies enjoy more flexible budgeting rules. It should also be noted that some of the agencies involved in child protection policies may enjoy somewhat greater flexibility: the "Public service bodies" (BLUs), which include research and training institutions, have a semi-autonomous status. They have to regularly report to the Government on their financial operations but can manage their budget in a more flexible way.

Petty cash funds at the local level exist but lack transparency and are prone to corruption. Local government offices also have access to petty cash funds (dinas or kantor), which are perceived as "tactical funds" (dana taktis) and accounted as "other expenditure", not classified elsewhere. World Bank believes that at the local

level these more flexible parts of budgets are subject to concern given that their usage is not transparent, prone to corruption and difficult to track *(World Bank, 2007).*

Adjustment Across Periods

Annual budget in Indonesia is revised in the middle of the year, to incorporate macroeconomic and fiscal changes. Often the size of revisions could be rather substantial (since the Government systemically fails to accurately estimate oil price movements which have a dramatic effect on Indonesia's budget totals). In most years, the line ministry allocations were never effectively reduced as the budgets were mostly revised upwards (the oil prices were underestimated).

Mid-year revision process is open and transparent, but excessively complicated and lengthy. Appropriations for every MDA are revised and resulting overall revision is voted by the Parliament. Ministries and agencies are actively involved in the formulation of revised estimates, and the process is described in detailed guidelines issued by the Ministry of Finance *(World Bank, 2012).* However, because of the amount of detail in the budget documentation, preparing and agreeing the revisions is often a lengthy and complex process *(World Bank, 2007).*

Budget allocations within DIPA are strictly annual without an opportunity to carry them over to future periods, disrupting multi-year projects. Although the World Bank mentions some "carry-over facility" which is allowed by Indonesian PFM regulations, the carry overs must be limited by one year horizon.

Options for Keeping Efficiency Gains

Strict line-item budgeting leaves no room for spending units to keep any efficiency gains.

Contingency Funds

Reserve funds seem to remain very low as a % of overall spending, despite woeful experience of emergency needs since 2004. Intrinsic lack of flexibility in the budget preparation and execution in Indonesia proved to be most problematic for quickly reacting to unforeseen events such as major natural disasters. Until the 2004 tsunami, Indonesian central budget had only a very small reserve fund which could be used for contingency needs *(World Bank, 2007)*. As of 2009, reserve fund remained very low: according to Bappenas, flexible contingency funds in the 2008 Budget were only 0.4% of total spending – or much lower than the regional average of 2% *(Bappenas, 2009).*

INDICATOR 2.4
LACK OF FINANCIAL INCENTIVES TO PARTICULAR SERVICE TYPES

Spending units have tools and right incentives to invest in those services which serve best interest of the child in any given context:	D (0.75)
· Child protection financing framework is neutral with regard to types of child protection services and contains to financial incentives that have detrimental effects on children, for example, capitation payments that provide incentives to place children in residential care;	No (0)
· There are no regulatory obstacles or financial penalisation for spending units to engage in alternative cost-beneficial solutions in child protection such as contracting out services.	No (0)
· There is a clear institutional division between purchases and providers in supplying publicly funded child protection services	No (0)
· Arrangements are in place to support competitive procurement of front line child protection services to serve best interest of the child rather than particular service providers	Yes, restricted (0.75)

Harmful Financial Incentives

Formulas for allocation of funds across providers and LGUs may contain intense incentives favouring particular, often harmful, types of services. One of the key questions the GIF is asking to any CP system is whether it is based on a funding scheme which is conducive to development of balanced and child-focused menu of Child Protection services. A basic requirement for such funding scheme is that it should not be biased towards some particular type of services, let alone a service which could be harmful for the children, such as residential care. Such biases are often included in the formulas used to allocate funds across providers and across local budgets.

Indonesia runs a highly dangerous earmarked subsidy (BBM) which promotes residential care and penalises alternative solutions. Residential child care institutions in Indonesia (private or public) are eligible to receive financial support through the Government Subsidy Program For Additional Food Costs for Social Care Institutions. The program was introduced in 2001 within a broader initiative to compensate the population for the rising costs of fuel (BBM). The idea is to subsidise institutions for the cost of food of their residents, and so the calculation is per resident child. In 2006, this Subsidy was renamed by KEMENSOS into the Subsidy for the Additional Costs of Fulfilling Basic Needs.

The BBM subsidy was a strong factor behind the proliferation of residential institutions in the last decade. According to KEMENSOS, during 2007 the BBM program for child care institutions covered 33 provinces and 395 districts and municipalities, reaching 4,503 child care institutions (with 128,016 resident children). KEMENSOS also noticed that the number of institutions benefiting from the BBM has steadily increased since 2003. The subsidy was widely promoted by the Government at all levels.

There are three features of this financial mechanism which make it extremely dangerous:

- First, the size of the subsidy is calculated per client; that is, the more children stay in the institution, the higher is the amount of funding it receives. Obviously, this rule has the same adverse effect, prompting facilities to engage as many children as possible.

- Secondly, the adverse impact of per-child calculation is magnified by earmarking these payments to those institutions which manage to recruit a specified minimum of children. In order to qualify for the subsidy, the institutions must cover a specified minimum of children. This is an immediate strong incentive to recruit children into institutions.

- Thirdly, the rules for allocation of the BBM subsidy seem to be highly opaque and not governed by one clear approach. The subsidy is not sufficient to cover all institutions, therefore it includes complex rotation rules and overall the amount of funds allocated to any individual institution or locality is reported by KEMENSOS to greatly depend on the "advocacy skills" of respective local authorities. As a result, allocation of the BBM funds across provinces and districts is actually very uneven(Ministry of Social Affairs of the Republic of Indonesia (DEPSOS), Save the Children, UNICEF, 2007).

These financial incentives are perpetuated by lack of administrative control over the new and existing institutions and poor oversight of activities funded through non-state donations:

- **Lack of control over creation of new institutions.** In the absence of reliable accreditation and licensing mechanisms, there is almost no oversight of the process of registering institutional service providers. Introducing such oversight is difficult because of the lacking policy on who should be responsible for this function. While there is at least some possibility to influence this process for state-owned facilities, opening and running a non-state institution for children is virtually unrestricted.

- **Lack of control over activities of the existing institutions.** Respectively, there is no clarity over who should be responsible for the quality assurance in the activities of the service providers. In the absence of such policy, oversight is essentially absent. Lack of rules, inspections and public accountability mechanisms means that activities of current providers are highly opaque. There is ample anecdotic evidence of child abuse and exploitation occurring

within such institutions, such as child labour and engagement of children for street bagging. Moreover, these institutions are not accountable or transparent financially, with the state or public being unable to access even the basic parameters of their spending (such as approximate size of revenues and expenditures).

- **Harmful effects of non-state donations combined with poor oversight.** In the absence of public accountability mechanisms, non-state donations (which fund most of the charity facilities) often create an additional financial incentive to recruitment of children into residential care. Large numbers of recruited children may be exploited by unaccountable institutions to attract charity funding, without due inspection of the quality of their services or even the need for these children to remain in residential care.

The combined effect of these bottlenecks seems to explain why de-institutionalisation of child protection services has been very difficult for Indonesia. While all partners are aware of the policy goal of de-institutionalisation and the need to redirect resources into family-based services for children, implementing this policy in practice has not yet been possible; in fact, thing seem to moving in a dangerous other direction. According to some reports, "the number of residential homes in Indonesia at least doubled within the last decades, and may even have quadrupled" *(Save the Children, 2009).* The numbers of children in residential care are growing and the quality of these services remains questionable.

Penalisation of Alternative Child Protection Solutions

Alternative cost-effective solutions in child protection at the local level are penalised by the current automatic coverage of the 100% civil service wages by the DAU transfer. As will be discussed in detail in further sections, all civil service wages in service provision at sub-national level are currently covered automatically through a portion of the general transfer from the central government (DAU). This arrangement has several detrimental effects on the nature of service provision in all decentralised functions, including social welfare.

- The 100% coverage of the wages by the DAU transfer provides no incentive for the local governments to reform their services; moreover, it penalises those pro-active local governments which chose to reform service provision, search for more cost-effective solutions, such as contracting out some of the services – if that would lead to permanent or temporary cuts in the staffing;

- The scheme removes any incentives for local governments to invest into reforms in salary levels, since it effectively centralises these decisions at the top;

- By acknowledging existing staffing levels as a baseline for automatic compensation, the Government freezes any existing disparities in staffing allocation across regions without any further incentives to attract professionals to remote or otherwise unappealing areas *(Hofman, Kadjatmiko, Kaiser, & Sjahrir, 2006).*

Division of Purchasers and Providers

There seems to be essentially no division of these roles in procurement of child protection services. The bulk of child protection services at all levels in Indonesia seem to be provided by the civil servants directly affiliated with the respective government administrations. There seem to be no specific mechanisms within this system which would eliminate resulting conflict of interest in the purchasing of the services and which would fill in for the resulting efficiency risks.

Arrangement for competitive procurement of services

Procurement systems have been significantly improved at all levels, although core gaps still remain. Indonesian Government is working to improve its public procurement systems, including steps such as introduction of a new procurement law (which covers all levels of government and all kinds of public entities), development of the necessary procedures and templates, and gradual transition to accrual accounting. However, even for capital projects, procurement systems are still very weak. One problem is high complexity and rigidity, which leads to spending delays and disruption of the projects. The current system also retains some core gaps, such as lack of requirement for open publication of the government procurement plans and on resolution of complaints. There is no systemic data to assess whether these new tools are being used for procuring services in child protection and how accurately authorities comply with the respective law and best-practice.

INDICATOR 2.5
VALUE FOR MONEY AWARENESS

Arrangements are in place to ensure that the Government procures services which bring maximum benefit to childrenfor any amount spent within the available resource envelope:	D(0.25)
· Child protection strategies are supported by analysis of fiscal constraints and response scenarios related to the risks of fiscal consolidation;	No (0)
· Program implementation plans in Child Protection include measurable benefit targets;	No, extended (0.25)
· Child protection strategies are supported with cost-benefit analysis of alternative policy options;	No (0)
· The Government undertakes performance audit to assess child protection impact of programme implementation.	No (0)

Awareness of Fiscal Constraints

Indonesia's fiscal outlook is still positive, but low tax revenues and upcoming health and pension reforms call will require consolidation across sectors already in 2014. Indonesia enjoyed steady economic growth with annual expansion at around 6% of GDP since 2007, resiliently moving through the latest global crisis. As illustrated in Figure 5,the Government public spending has also grown in the recent years, and the budget deficit remained relatively low in comparison to GDP. However, the fiscal situation started to stagnate since 2010 and while the outlook is relatively positive, it raises many concerns. One reason for the recent stagnation is the Government's weak ability to raise non-oil and gas tax revenues: as showed in Figure 5, Indonesia is behind its neighbours in terms of tax-raising capacities (taxes as % of GDP). At the same time, energy subsidies have been growing, which resulted in a gradual increase of the fiscal deficit. The latest IMF report recommended Indonesian authorities to consider "moderate fiscal consolidation for 2014 and over the medium term". Although the Government plans to consolidate primarily through cutting energy subsidy costs, these policies will also require fiscal space for additional social safety nets. Upcoming major reforms in healthcare (2014) and pension system (2015) will also require additional expenditure. These circumstances illustrate that while child protection programmes might not necessarily face immediate fiscal constraints in the next years, excessive complacency based on the inertia of prosperous years would be equally unjustified.

Figure 5.
Central Government Fiscal Performance, 2008-2013
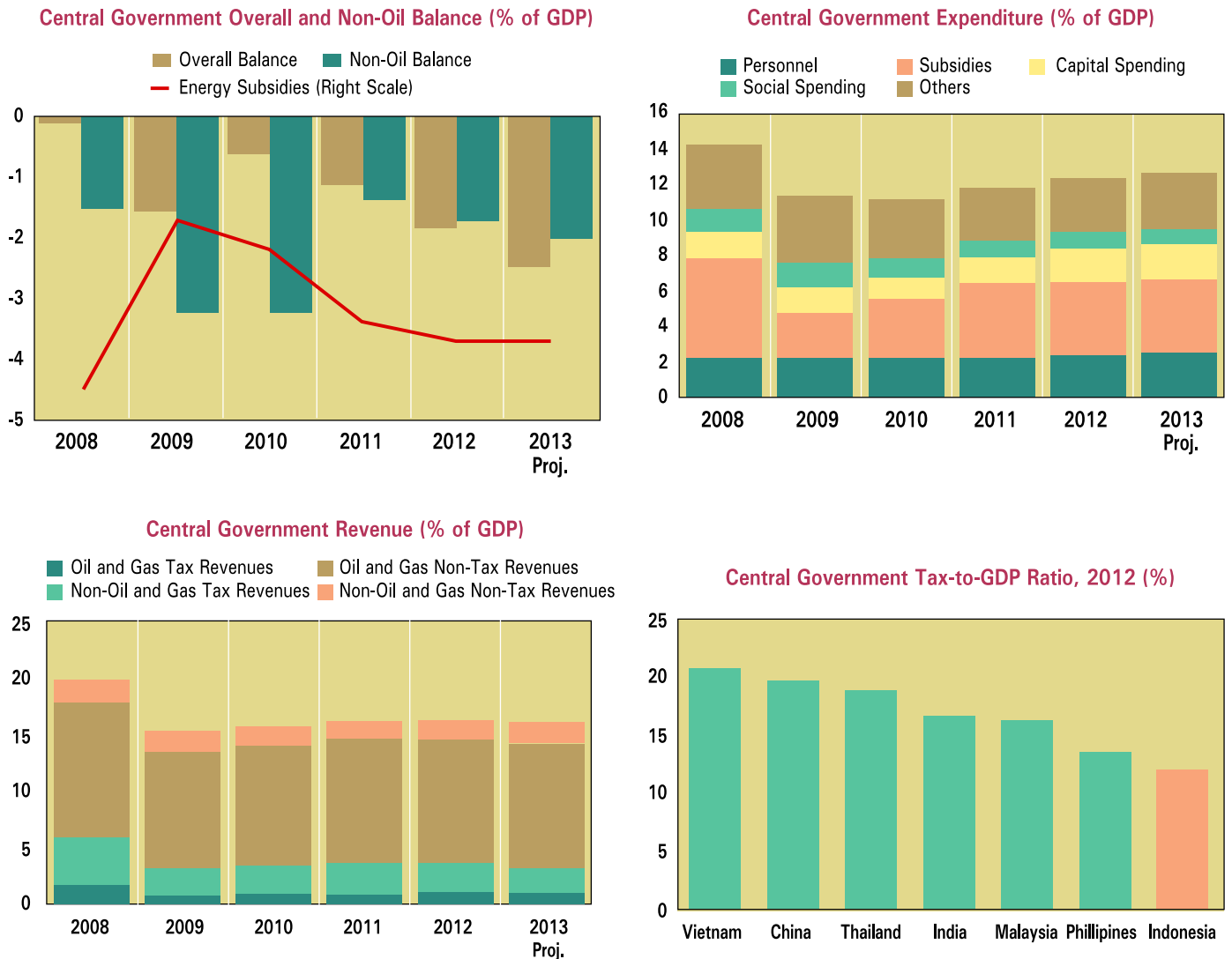
Source: Indonesian authorities, IMF staff estimates&projections, WEO database (IMF, 2013)

At the same time, fiscal constraints and risks are not explicitly taken into account in any of the child protection strategies.

Although many action plans and strategies related to Child Protection mention the Ministry of Finance as a stakeholder and implementation partner, none of these existing strategies contain an explicit discussion of the financial constraints expected on the way of these strategies and implications for program design and allocation choices.

Benefit Targets

The need to increase value for money features very strongly in the Government budgeting reform plans. In particular, five out of ten key goals of the 2002 PFM reform outlined in the respective White Paper (PBB). These included:

(i)   improving the results-orientation in state budget planning and development;

(ii)   strengthening monitoring and evaluation of public expenditures and programs;

(iii)   improving the public procurement systems;

(iv)   improving government accounting and audit functions;

(v)   civil service reforms to improve the quality and performance of the workforce;

In the last ten years, specific tools were introduced to incorporate performance measures into the budgeting process. In 2009, Bappenas issued a manual on PBB and MTEF, which became a platform for further elaboration of the current system of performance targets and indicators incorporated within the RPJMN and individual plans of all line ministries starting from the 2011 budget.

As was discussed earlier, the RPJMN 2010-2014 itself contains three broad Targets for Child Protection, which is seen as a cross-cutting area covering several individual sectors. The three Targets for this cross-cutting area include:

• Improvement of the quality of child survival and development (better and more accessible early childhood development, health and reproductive health education);

• Protection of children from all forms of violence and discrimination (social rehabilitation, protection, elimination of worst forms of child labour and protection for children in conflict with the law); and

• Improving institutional capacity on child protection (legislative harmonisation; building capacity of service providers; enhancing availability of data; improvement of coordination).

Agency-level planning is supposed to be based on detailed indicators of expected added value and benefit. According to the current rules *(Bappenas, 2009),* all Ministries – including those involved in Child Protection policy process – must incorporate respective objectives into their strategic and annual plans. These agency-specific targets must be supplied with progress indicators supported with the following information:

- Specification of whether progress indicator would measure output or outcome;

- Purpose and importance of measuring achievements against this indicator;

- Source of data and method of calculation to be applied for the measurement;

- Any expected limitations in data;

- Reporting schedule;

- Performance benchmarks and standards (describing desired level of achievement);

- Individuals and organisations responsible for data collection and analysis.

In the absence of access to these documents, it is impossible to assess their quality. Unfortunately, this assessment was not able to locate any agency-level documentation describing particular PBB indicators for child protection clusters. It is therefore impossible to analyse quality and measurability of such targets, as well as the extent to which they reflect outputs and outcomes in child protection and their relevance to the RPJMN.

As of 2011, overall progress in implementation of results-oriented budgeting was assessed as incipient. The 2011 PEFA assessment concluded that, generally, in the course of the past decade, PFM reforms in Indonesia have focused strongly on compliance, discipline and expenditure controls. As was discussed in previous sections, while much still needs to be done in these areas, progress is also significant. However, while spending rules are relatively robust, the quality of the programmes remains a concern, which highlights the need for stronger value targeting. The 2011 PEFA assessment listed examples of PFM arrangements where quality of services was jeopardised in favour of robust controls and procedures. It concluded that the Government's focus on performance management must be renewed.

Vertical input-based norms and revisions make the idea of PBB and bottom-up budgeting "largely paper exercises with limited impact on allocative decisions". Despite the Government's declared priority to strengthen PBB elements in the budgeting process, there seem to be systemic barriers to its due implementation. The current approach to budget preparation and formulation is legally speaking bottom-up in that it starts with preparation of indicative budget ceilings by individual spending units. However, in reality, these indicative ceilings are subject to strict vertical input-based norms, as well as multiple checks and revision by the Ministry of Finance, which essentially leaves little space for results-oriented flexibility even at the budget preparation stage. Given that these budgets are then used to formulate detailed and rigid DIPAs, applying performance-based tools within such framework is highly problematic. Although no recent assessment exists to check how the system is working since the introduction of MTEF, the 2007 paper by the World Bank regretted that at the time the bottom-up budgeting and PBB rules "appeared to had been largely paper exercises with limited impact on allocative decisions"*(World Bank, 2007)*. Other studies note that it seems to be very difficult for Government officials at all levels to accept the very idea of policy-based budgeting, and report on "stubborn persistence of the input-focused budgeting approach", where "budget requests are linked to the objectives described in the planning documents in only a cursory fashion" *(Dixon & Hakim, 2009).*

Continued focus on legality rather than results is perpetuated by rigidities in programme management and lack of demand pressure. The gaps which require further actions include stronger formulation of programme objectives, but also introducing practical mechanisms for the agencies to actually focus on performance rather than formalities. This means, first of all, greater flexibility in program management and better tools for performance analysis and measurement. PEFA also believes that

significant barriers to formulating and pursuing benefit targets lies on the demand side. Authorities in most sectors do not feel pressured by their clients and the general population to deliver better quality, often because citizens are not aware of what they can expect from service delivery. This complacency often allows civil servants to focus on legal compliance rather than performance.

Cost-Benefit Analysis

There was no assessment of costs and benefits of the current or planned child protection policies. This assessment was not able to locate any analysis of relative costs and benefits for alternative child protection interventions and policies, either at a cross-cutting level or for any of the individual protection risks.

Performance Audit

As was indicated previously, the quality of the audit function in Indonesia's PFM system remains very low:

- **Audit reports are focused on legal compliance rather than performance and value for money.** Spending assessments available at the BPK website (http://www.bpk.go.id/) are highly descriptive and do not contain analysis of the current or planned activities from the perspective of their benefit, performance and value for money. The reports are also strongly focused on compliance audit, outlining how the spending agencies managed to implement existing and newly introduced regulations, rather than on how efficiently they have used the budgets.

- **Audit findings are not supported by civil society and public opinion surveys. Civil society observers criticised BPK for low standards of analysis and poor transparency of its audit.** Analysts from the Indonesian Forum for Budget Transparency *(FITRA)* concluded in 2013 that exceptionally favourable assessment by BPK for some of the key agencies such as National Police and the Ministry of Religious Affairs were unfounded and contrasted with the public opinion surveys which present these agencies as one of the most corrupt *(FITRA, 2013).*

- **Parliamentary scrutiny of the budget is focused on ex-ante controls rather than policy achievements.** Parliamentary discussions over budget allocations and revisions are usually concentrated on the details of budget documentation and rarely touch on policy issues and their impact on funding priorities. High-level approval is expected for every individual budget line, which leaves little space for meaningful policy debates *(World Bank, 2007).*

INDICATOR 2.6
EFFECTIVE STRUCTURES FOR DECENTRALISED FUNDING

Financial relations between tiers of spending units / levels of government engaged in child protection are based on the following:	C (1.25)
· Multi-level financing structure, regardless of the specific decentralisation model, is supported by functional tools to ensure that decentralised funding of child protection is effective, equitable and sustainable ("central oversight / intervention and local autonomy / accountability are in functional balance")	No (0)
· The central government accurately reimburses financial costs imposed on sub-national budgets by central child protection policies ("realistic funding, vertical gap coverage")	Yes (1)
· Horizontal allocation of transfers linked to child protection expenditures among sub-national governments is determined by transparent and rules-based system ("fair funding, horizontal gap coverage")	No, extended (0.25)
· Public financial management capacities at sub-national level are sufficient for ensuring effective implementation of any delegated functions related to child protection	No (0)

Balance between accountability and oversight

Clarity in Division of Functions

In Indonesia's highly decentralised context, child protection function is vaguely shared between sub-national and national authorities. Indonesia is one of the most fiscally decentralised countries in the world. In 2007, provincial and district governments were spending 37% of the entire public funds, which was higher than OECD average and higher than in any East Asian country except China (World Bank, 2007). As was discussed in the previous Domain, administrative and financial responsibilities in child protection are currently shared between national and sub-national stakeholders, with all tiers playing important roles which are also not clearly divided:

- Most social sector responsibilities (including Education, Health and Social Welfare) were decentralised to sub-national level; while other functions of critical importance to Child Protection (Justice, Religious Affairs) remained a central responsibility.

- Within sub-national budgets, the biggest share of funds in years after decentralisation began, tended to go into public administration (mostly salaries and maintenance of administrative infrastructure) and education, with social welfare usually staying on the margins.

- At the same time, a significant share of central budgets of some national line ministries is actually spent in the regions through "deconcentrated" funds, especially in social sectors. According to the World Bank, these deconcentrated funds augmented local budgets by about 21% in 2004 (World Bank, 2007).

Poor delineation of functions across tiers is a substantial barrier. One of the challenges of decentralisation in any country is the need to clearly divide responsibilities, including spending functions, across government tiers. Indonesia has not been an exception. In most of the sectors, including Child Protection, sub-national authorities struggle with vague or entirely missing definitions of their mandates. Clear assignment of roles is hindered by lack of joint terminology: similar activities or programmes can have different names in different provinces or districts, making it difficult to develop a single model for sharing responsibilities which could be accepted across the country. Inconsistencies in the pace of political, administrative and financial decentralisation make it difficult for authorities at all levels to provide accountable and effective public services. Sub-national decision-makers find themselves in an uncertain position without clear definition of accountability lines, finding it difficult to combine their responsibilities with regard to the national authority and their accountability to the local voters.

Child Protection is suffering a double blow in this situation since bigger sectors with even bigger role-division problems hijack political capital. As in any other sector, policy making becomes more difficult without a clear division of roles between layers of authority. However, prevalence of the same problem in other, larger sectors hijacks political attention away from Child Protection towards these relatively bigger and more urgent problems in Education or Health.

Regulatory vacuum makes it difficult to control service-providers. Lack of clear division of responsibilities in Child Protection is one reason why some provinces – such as South Sulawesi visited during this assessment – find it difficult to introduce proper accreditation mechanisms for social welfare service providers. Introducing an accreditation scheme was one of the recommendations of the CP System Mapping *(Government of Indonesia / UNICEF Indonesia, 2012),* but it proved difficult to implement. As described further, this regulatory vacuum has created ample opportunities for dubious providers to enter the service market, magnifying risks of child abuse.

The Role of Provincial Level

Regional tier structures often have uneven trajectories in the course of decentralisation reforms, as was the case in Indonesia. In the early years of the Big Bang, the role of the provinces was initially minimised, with most of the decentralisation going down towards the sub-provincial district level. As in other countries, much of the Indonesia's motivation for this move was anti-separatist: stripping regional authorities of financial and administrative powers and establishing direct central

control over smaller entities is often seen as a way to ensure against centrifugal forces.

Law No. 32/2004 restored much of the initially minimised provincial powers. Later revisions of the decentralisation laws began to acknowledge that initial decision as somewhat disproportionate, and aimed to restore some of the functions for the regional tier. The 2004 revisions provided provincial governments with a range of new functions, including oversight and supervision over sub-provincial authorities on their territories. It also defined provincial governments as regional representatives of the central government.

Yet, even to this day, provincial governments face a double-challenge in the context of the uncertain division of responsibilities within the current multi-layer governance structure. On the one hand, they need to coordinate across their respective regencies/cities, which is critical for the integrity of the decentralised system; on the other hand, they do not have sufficient financial and administrative power of the regencies/cities, which makes it difficult for them to function in that role. UNDP, one of the agencies interviewed for this assessment, which works actively at sub-national level in Indonesia, considers stronger provinces to be the current "Missing Link" of Indonesia's decentralisation and focuses on working at the provincial level to enhance its capacities *(UNDP Indonesia, 2009).*

Realistic funding and vertical gap coverage

Fiscal Equalisation Rules

Vertical fiscal gap in Indonesia's highly decentralised system is very large but it is consistently covered by a massive and expanding transfer or resources. Since the beginning of decentralisation, Indonesia has allocated massive amounts of resources to sub-national governments to fund their new responsibilities (around a third of the entire public expenditure). Own source revenues (OSR) which were assigned to local authorities had very small bases, therefore decentralisation created a very large vertical gap between the newly increased expenditure needs and the relatively small local revenues. The gap is covered by a mix of transfers (or "balancing funds") from the central budget which include:

- Shared central revenues, both - taxes (personal income and property) and natural resource revenues (oil and gas) *(Dana Bagi Hasil/DBH);*

- An unconditional General Allocation Fund *(Dana Alokasi Umum, DAU)* - the core transfer, which covered 80% of all sub-national expenditures in 2007(Dixon & Hakim, 2009);

- A range of earmarked grants, including Specific Purpose Transfers *(Dana Alokasi Khusus, DAK)*[30]   and deconcentration and special assistance grants administered through individual ministries *(Dekon* and *Tugas Pembantuan)*;

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[30]   Law No. 33/2004

- Special autonomy grants to respective regions.

Most of the funds received by LGUs are unconditional. Figure 6 illustrates that DAU remains the largest and growing revenue source for local budgets, although importance of the resource-revenues and own revenues is still significant. On the other hand, DAK and deconcentration transfers are very small.

The largest unconditional transfer, DAU, is formula-based, and the current formula is a product of complex political evolution through the least years. Currently, the amount due to each local budget is a sum of a "basic allocation" and an amount to cover the residual gap:

- **The "basic allocation" covers 100% of local official salary of civil servants.** This policy of full compensation of the local wage bill by the "basic allocation" was introduced gradually, initially covering only a share of all wages and raising to 100% around 2006. Full incorporation of the local wage bill into the DAU was debated by scholars, since it removes the incentive for the local governments to streamline their civil service and to cut their numbers. Wages and salaries are the biggest spending item for local authorities *(see Figure 7)*.

- **The residual amount, provided on top of "basic allocation", is established as a difference between "fiscal needs" and "fiscal capacities" of each district.** Initially, these additional fiscal needs were based on historical spending patterns, but gradually the approach was replaced by a more transparent method. At the moment, the residual depends on the district's population, area, development levels, and relative differences in costs of service provision. In 2005-2006, the "fiscal gap" portion accounted for about 50% of the DAU *(World Bank, 2007)*.

Figure 6.
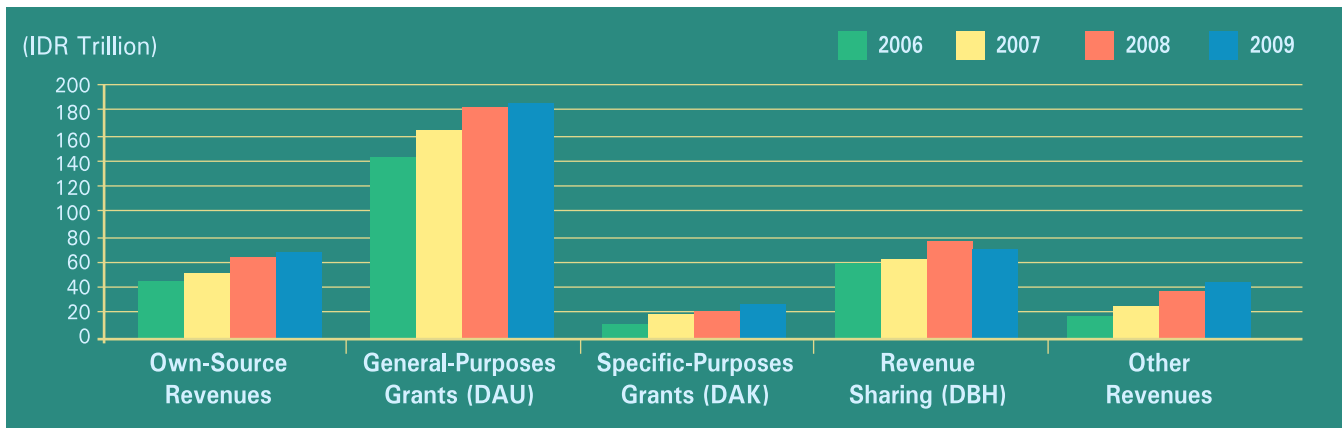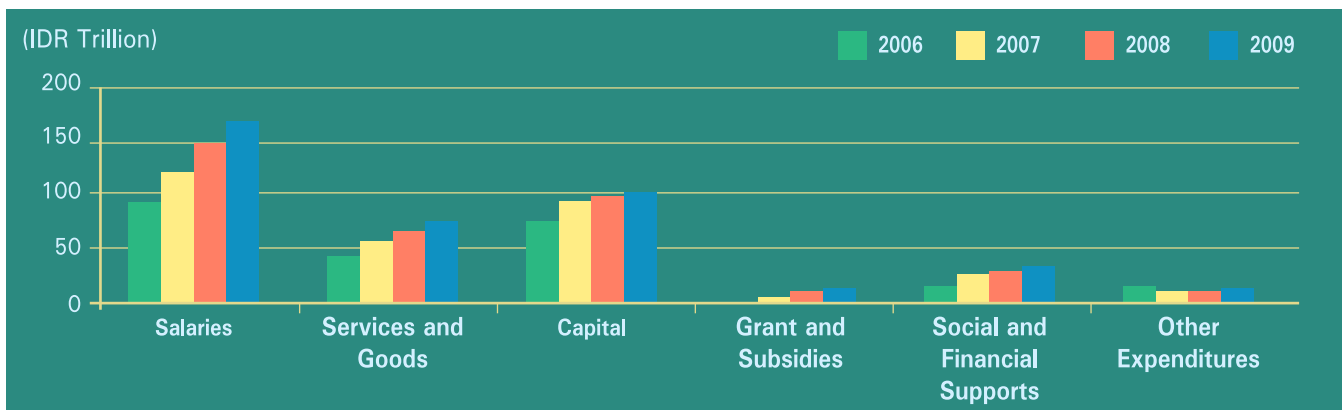**Local Revenues in Indonesia (2006-2009)** *(Dyah, 2011)*

Figure 7.
Local Expenditure in Indonesia (2006-2009) *(Dyah, 2011)*

Vertical Gap Coverage

Vertical gaps seem to be fully and sometimes even excessively covered by the central government. Accurate assessment of vertical gap coverage in Indonesia is difficult given the blurred division of responsibilities. Overall amount of funds allocated to sub-national spending through the main transfer – DAU – grew significantly in 2001-2005, even though it consistently remained below 25% of total central expenditures which is required by law (the 2001-2005 average was 19%)*(World Bank, 2007).* At the same time, the design of the current rules indicate that fiscal cap as such does not seem to be an issue for local budgets.

- First, effective re-centralisation of the wage bill through its full coverage within the DAU means that the biggest expenditure item at the local level is nearly automatically covered by the central government and does not represent an unfunded mandate.

- Second, some studies show that many local governments in Indonesia are actually finding it difficult to spend the entire amounts they receive through transfers and have been building up financial reserves *(Dixon & Hakim, 2009)*. As of November 2006, unspent surpluses at the local level have reached 3.1% of the country's GDP, and even the poorest regions with small revenue bases received an average increase of transfers of 75% in 2006 *(World Bank, 2007).*

- In fact, on some instances, vertical gap may be oversupplied. Lack of clarity in division of responsibilities lead to frequent cases when line ministries duplicate functions which have been transferred to sub-national authorities and fund these programmes through their deconcentrated budgets. According to the World Bank, "most of the deconcentrated spending" actually goes to fund services which are in reality the responsibility of local authorities and must be funded from local budgets. A case study on East Java showed that 90-95% of deconcentrated spending in the social sector there went into previously decentralised functions.

Fair Equalisation and Horizontal Gap Coverage

Indonesia suffers from extreme horizontal inequalities, resulting from weak rules for transfer allocation as well as weak financial controls. While the current resource transfer to sub-national budgets may be covering the overall vertical gap almost in excess, there seem to be significant distortions and gaps in ensuring horizontal fiscal equalisation. These distortions arise from the rules used to allocate financial transfers to the regions, but also from weak controls on how the resulting budgets are spent (which leads to variation in service provision even where fiscal resources are allocated in a relatively fair way).

Allocation of Transfers

Horizontal equalisation is a paramount task for Indonesia, given its social, economic and geographical diversity. Immense disparities between Indonesia's regions mean that they have fundamentally different capacities to fund public service provision to their communities, which makes the task of fiscal equalisation in Indonesia paramount. In 1999, revenue per capita in the country's richest region were 30 times higher than in its poorest region, and these differences have only increased since that time.

Current fiscal envelopes at the local level differ primarily because of the variation in own-source tax bases and the natural resource based revenues. The differences between regions are based on their diverse own-resource bases. However, the inequality is increased with the current allocation of shared natural-reserve revenues (DBH). The shares of these revenues are distributed very unevenly across local budgets, with the less than 10% of local governments raising 90% of these resource-based revenues.

Revenue equalisation across all regions is supposed to be achieved through the allocation of DAU, but this tool seems to be failing to achieve optimal results:

- **The first weakness of the DAU is that only half of this transfer is equalising, while the rest automatically funds current distribution of civil service by paying 100% of the wage bill.** As was already discussed, only about half of the DAU is allocated to formula-based equalisation, while the rest is spent on covering 100% of the existing wage bill. The distribution of the staffing across regions

is not subject to transparent assessment and revision, and automatic coverage of these costs is hardly equalising. Some studies point that the current system only prompts regions to negotiate for their staffing levels with the centre rather than streamline their civil service or consider how it serves local needs and preferences *(Hofman, Kadjatmiko, Kaiser, & Sjahrir, 2006)*.

Various calculations have shown that the wage-bill component of the DAU is highly distortive. If 100% of the DAU were allocated across regions based on purely fiscal-gap formula (rather than compensation of the wages), much more of these revenues would go to poorest district with lowest resource endowments. For example, Figure 7 shows per capita differences between a hypothetical amount of DAU calculated entirely based on fiscal-gap methodology and the real DAU allocated to Indonesia's regions in 2006. It shows that this more equitable approach would have benefited mostly poorer and/or resource-scarce territories.

However, calculations also show that developing a truly equalising formula for Indonesia is a bigger challenge than it may initially seem. There is no clear-cut correlation throughout the country between poverty, development level and level of resources. Instead, the various districts of the country are highly heterogeneous, and they form eight distinct clusters:

	Poverty	GRDP	Fiscal revenue	% of LGUs	Comment
1	Low	Low	Low	7%	
2			High	8%	
3		High	Low	13%	Developed, rich, less resource revenue – more own revenue
4			High	22%	Developed, rich ,municipal, high resource revenue
5	High	Low	Low	25%	Poor, less developed, rural, transfer-dependent
6			High	10%	Poor, less developed, rural, but high fiscal rev (East Indonesia)
7		High	Low	5%	
8			High	11%	

- **Another alarming development for horizontal fiscal equalization is the recent proliferation of earmarked transfers, as opposed to the unconditional DAU.**

As discussed earlier, the main earmarked transfer is DAK – a specific grant to fund a range of particular functions which are considered national priorities. Although DAK is relatively small compared to other transfers *(see Figure 6)*, it keeps rapidly increasing. There has been also an increase in the use of deconcentrated funding. Most worryingly, at some point, the Government

began to use a special type of deconcentrated funding – so called "expenditure budget supplements" *(anggaran belanja tambahan, ABT)* – direct transfers of funds from the central budget to local budgets to substitute deconcentrated project implementation.

The biggest problem with the specific funding is their weak accountability and transparency: since they do not follow a clear formula, the allocation is based on ad-hoc decisions my line ministries or, worse, bargaining with the regions. Similarly, deconcentrated spending is allocated across the regions based on a pattern which some papers call "murky" *(Hofman, Kadjatmiko, Kaiser, & Sjahrir, 2006)*. In comparison to deconcentrated or ABT-based expenditures, DAK represents a relatively more transparent channel, and ministries were urged to gradually shift their earmarked spending towards DAK. This has been a challenging process because of the lack of clarity in the division of responsibilities across budget tiers. Moreover, DAK as well is a tool which complicates the system and limits local policy and spending autonomy in the respective sectors.

Distribution of Funds within Districts

Sub-district units in Indonesia are important because of their role in service provision and the link to communities especially in remote areas. The equalising transfers described above are allocated across Indonesia's 34 provinces and 491 district/city units. Sub-district level governments in Indonesia *(Desa* or *Kelurahan*, the amount of such units was 6694 as of September 2013) are seen by the legislation as administrative, rather than political units. However, the rural villages elect local heads *(Kepala Desa)* (the more urban Kelurahan villages are headed by bureaucrats appointed by district authorities *(Lurah).* Moreover, given Indonesia's complex geography, district councils are often "rather remote" from the residents of some of its villages and the sub-district authorities are more knowledgeable and influential in their communities. The villages are also important in the front-line delivery of services, running the local health centres and sometimes also providing social welfare services.

Allocation of funds across villages does not seem to follow clear rules and perpetuates inequality. The village tier is very important in the child protection system, which is recognised by the Government: in particular, a new law on village highlights the role of the village government including improvement of public services for the community welfare[31] . However, despite the importance of the sub-district tier, this study was not able to access documents which would describe clear rules for further allocation of funds within the districts among its rural and urban villages. At the same time, some papers report that distribution of funds within districts does not follow transparent rules and contributes to inequality in access to services *(Dixon & Hakim, 2009).*

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[31]   http://lkbh.uny.ac.id/sites/lkbh.uny.ac.id/files/UU_NO_6_2014.PDF

Inequality Arising from Disrupted Accountability Structures

While the equalising power of the transfer allocation in Indonesia is far from perfect, an even bigger barrier for horizontal equalisation is dysfunctional accountability structures. As discussed in detail in the next section, the Big Bang decentralisation has essentially removed financial choices of the sub-national authorities from any reliable oversight. As a result, the mix of services funded in the individual districts began to shift without much scope for intervention either by the central government or from the local communities. One symptom of such disproportional shift is the skyrocketing of administrative spend, which currently takes up 38% of all expenditure at the provincial level and around 30% at the district level. Respectively, observers report fast growing variation in the level of service provision across districts, which outpaces the inequality in fiscal endowments. In fact, many of the poorest districts which receive relatively bigger portions of the DAU tend to allocate smaller shares of these resources on poverty reduction, thereby increasing the variation *(Dixon & Hakim, 2009).*

Minimum Service Standards (SPMs) introduced by the Central Government do not help to cover these gaps as they have almost no impact on local budgeting. One tool used by the national Government to ensure basic equalisation in service provision is a set of Minimum Service Standards *(Standar Pelayanan Minimum,* or *SPMs).* The SPMs are developed by line ministries and are supposed to be used at the local level. However, the SPMs to not seem to be failing to make any impact on local budgeting: the standards themselves are described as "non-operational", there are no clear links between these standards and the budget preparation templates, and no systemic data gathering on how closely these standards are followed. Importantly, the blurred division of responsibilities across government tiers mean that there is no clarity on which level is responsible for the delivery of the SPMs *(Dixon & Hakim, 2009).*

Local PFM Capacities

Given that most local governments, including the poorest, do not face financial limitations and actually develop surpluses, the biggest challenge for Indonesia is to make sure that these relatively abundant allocations are spent well, in line with local preferences and national standards. Observers unanimously describe budgeting capacities at the sub-national level as extremely weak and representing the biggest barrier to effective service delivery and to making the most out of the Big Bang decentralisation.

Linking Budgets to Priorities

Big Bang decentralisation has disrupted financial accountability structures which makes it difficult to link allocations to policy objectives. The key point of decentralisation is to ensure that local leaders accountable to their constituencies would help to deliver public services in a way which matches local preferences and

takes into account local context to receive best value for the money spent. Despite its radical scale and speed, Indonesia's Big Bang decentralisaiton did not disrupt basic service delivery, as was initially feared, and key systems for decentralised PFM were rather quickly installed. However, the Big Bang did cause a major breakdown in the accountability of publicly funded service delivery. The vertical accountability structures were broken, while new mechanisms for financial accountability at the local level are still absent and proved to be difficult to build.

Sub-national councils have a very high level of autonomy over their budgets. In the new decentralised system, local budgets are drafted by the local executives (such as the local planning agencies *Bapped*a), approved by local elected councils and executed by local finance office *(Badan Keuangan)*. Given that the major source of revenue for most local budgets – the DAU transfer – is unconditional, the central Government has not control over how local authorities decide to allocate these funds. The central line ministries to retain some control over the allocation of DAK, but, as discussed earlier, the size of this revenue is marginal.

At the same time, local authorities do not seem to be accountable to either their communities or the central government. While local governments do run consultations with communities and are subject to local elections, there are worrying symptoms that their allocative decisions are not oriented towards strategic objectives, local or central, and that these decisions are prone to corruption and waste. To some extent, the reasons for these are institutional (dysfunctional rules and procedures) and sometimes they are related to outdated or lacking technical skills and knowledge:

- **The rules and regulations for sub-national budgeting have been installed, but they are often incomplete and contradictory.** The central Government is aware of the acute problems in sub-national budgeting. Strengthening regional public financial management was one of the ten priorities in the 2002 White Paper on PFM reforms. Later, in 2005, a set of specific regulations were introduced to reform local budgeting, mostly along the same lines as was done earlier at the central level *(World Bank, 2012)*. However, in the World Bank's opinion, current regulations on sub-national public financial management are rather contradictory. This is linked to continued lack of clarity in the division of responsibilities for regulating this matter between the Ministry of Finance and the Ministry of Home Affairs. As a result, a lot of local governments do not comply with national requirements for due accounting, financial audit and disclosing fiscal data, which makes local budgets prone to corruption *(Dixon & Hakim, 2009)*.

- **In addition, gaping weaknesses remain in technical skills and knowledge. Localgovernments struggle to implement the new templates, deadlines and reporting requirements *(World Bank, 2012)*.** Often this is because institutional and human PFM capacities are at the local level are very poor. World Bank in-depth assessment of PFM capacities in a sample of 15 provinces in 2006 found that, on average, these local government complied to only 44% of the national requirements for sub-national budgeting *(World Bank, 2007)*.

- **Local PFM replicates central tradition of rigid, input-based budgeting which has no effective link to policy objectives and result targets.** Current skills at the local level originate from the previous highly centralised budgeting system, which was focused on rigid input budgeting and accurate accounting, rather than performance-based strategic planning. Professionals throughout local governments lack the key skills which are supposed to make decentralisation a success: the ability to define priorities which match local preferences, to make multi-year forecasts, to estimate costs and benefits of alternative resource allocation options, to effectively re-allocate funds and to keep these allocations accountable, including through independent audit. As a result, "there is a risk that the inflexible, input focused, budgeting at the centre which originally prompted the decentralization is now being replicated at the local level by unresponsive local bureaucracies and rigid, input focused, budget preparation." *(Dixon & Hakim, 2009)*

- **Child Protection policy function at the local level is especially weak. At the sub-national level, strategic budgeting for Child Protection is hindered by weak capacity of the policy-makers.** Legislators and executives often lack basic understanding of what Child Protection represents and why it is important, socially, economically and politically. Often, Child Protection is confused with Child Security, which is one of the reasons behind the domination of tertiary services and poor prevention. Without strong policy function in this area at the local level, sub-national budgets – but also sub-national budget processes - are biased towards other sectors, leaving little scope for Child Protection reforms.

- **Weak policy-orientation results in distorted balance between expenditure priorities and underinvestment into key social services.** There is no reliable evidence for child protection, but for key social sectors – even education – achievements and investments vary dramatically across districts. It is very difficult to accurately assess the current balance of priorities within local budgets. Access to data is very limited, and there is almost no research to estimate how closely current priorities match local preferences. However, most studies conclude that this balance is highly questionable. Expenditures are severely skewed towards administration. At the same time, level of achievement in key social sectors dramatically differs across districts. In particular, indicators for early child nutrition and immunization exhibit high variation and even retrograde developments in some of the regions *(Dixon & Hakim, 2009).*

Financial Oversight

Weak financial oversight, especially independent external oversight, is one of the core bottlenecks to making local spending more efficient and results-oriented. The key role of external oversight is to install control by independent auditors over decisions made by policy executives. External oversight is seen as a key pillar of public accountability of the executive decisions. Independent oversight over

executives is often exercised through parliamentary scrutiny, at respective levels of the legislature. Establishment of legislative oversight function at sub-national levels is one of the most important and most difficult milestones in decentralisation and in delegating significant spending powers to local administrations.

While local budgets are subject to BPK audits, these inspections do not have enough scope and depth. The audits which did happen show dramatic scale of misuse of funds: misappropriation of central funds was noted in more than half of the sample, and cases of fraudulent or inefficient use of funds were counted in hundreds. However, the information gathered by either BPK or other central agencies (MoF, MOHA or line ministries) seem to be far from enough to assess the quality and accuracy of budget allocations at the local level, and the technical efficiency of local spending is called by some papers "a black box" *(Dixon & Hakim, 2009).*

Weakness of financial oversight was confirmed by the interviews with child protection stakeholders held by this assessment in the South Sulawesi. The stakeholders in child protection were not aware of the concept of external financial oversight and explained that there were hardly any mechanisms in place that they would be aware of. Local councils do not run any checks on the way resources are spent by the administrations (e.g. via establishing respective permanent commissions or other methods). This said, there seems to be active civil control by local NGOs and media over the activities of local goverments, but Child Protection has a low profile and is rarely featured in these investigations and debates.

DOMAIN 3
HUMAN RESOURCE MANAGEMENT

INDICATOR 3.1.
STANDARDS FOR CHILD PROTECTION PROFESSIONALS

Regulatory framework for Child Protection includes:	C (1.75)
· a definition (in training or other institutions or in policy) on the professional responsibilities, skills & required training & standards to which social workers will be held accountable;	No, extended (0.25)
· within the above: specific requirements and standards for social workers working with children;	No, extended (0.25)
· a certification, accreditation or licensing process for social workers and other professionals who work within CP;	No, extended (0.25)
· an independent and active professional association of social work professionals.	Yes (1)

Professional Standards for Social Workers

Indonesia's regulatory framework for social work professionals is still rather weak, although important changes are underway. *Adi Fahrudin* from the University of Muhammadiyah Jakarta describes the situation in the social work in Indonesia as "bleak", given that "the government has neither established the profession as an independent profession nor valued social work training" *(Fahrudin, 2013).* This view is supported by the Save the Children, one of the most active participants in the latest reforms in this field. In 2011, a briefing by this organisation stated that "unfortunately, legal recognition for the role of social workers is minimal and social work education in the country also requires a major up haul" (*Save the Children, 2011)*. Significant hopes rest with the Law on Social Welfare 2011 which stipulated the importance of the role of social work profession and which is used as a basis for the current effort for certification and licensing of social workers and the accreditation of the social work services.

Intensive effort is underway to develop and implement regulations and capacities in this area by the Government, associations and donors. In an effort to repair this gap, the Government has been working together with Save the Children,UNICEF with Griffith Unviersity and a range of national experts on developing a comprehensive regulatory framework for the social work profession, which would cover standardisation, certification, licensing and training. The key national partners in this process were the Ministry of Social Affairs, the Indonesian Association for Social Work Education (IPPSI), the Indonesian Association of Social Workers (IPSPI), and the Indonesian National Council on Social Welfare (DNIKS).

As a result, two key systems of standards were developed for social work professionals:

- A set of standards for social work practice, including practice with children, as well as respective codes of conduct, to be established and supervised by the Indonesian Association of Social Workers. According to Save the Children, this set of standards would be the basis for the system of certification of social workers which is being developed in the recent years;

- A set of "core competences" for social work professionals to be established and promoted by the Association of Social Work Education, including through development of respective curricula.

The Standards were formally introduced through a Ministerial Decree in 2009. In 2009, the Ministry of Social Affairs have issued a Decree (PERMENSOS) No.108/HUK/2009 on the Certification of Professional Social Workers and Social Welfare Staff and a follow-up regulation No.11/2009 on Social Welfare. These regulations outlined basic requirements to any professionals engaged in the delivery of social work services and the rules for the certification. The Ministry of Social Affairs explained that this regulation highlighted the links between professional standards and competences, thereby also showing the importance of working in parallel on new standards and new education systems. Working on the Standards also showed that "Indonesia Professional Social Worker Association (IPSPI) and Indonesia Social Work Education Association (IPPSI) are two organizations which mutual need."[32] Unfortunately, it was not possible to find the original text of this legislation to provide further detail.

It is also difficult to assess whether actual implementation of standardisation described in the PERMENSOS No.108/HUK/2009 already began. From the recent analytical studies and articles on the subject, the system seems to be at the very conceptual stage and not yet implemented as a systemic and formal requirement. In the publications dated 2004-2013, Adi Fahrudin discussed complete absence of any standards of quality and competence for Indonesian social workers, which was quoted as one of the key reasons for low quality of services and also a barrier for Indonesian social workers to consider employment abroad (thereby indirectly diminishing the prestige and market value of the profession) *(Fahrudin, 2013)*.

Current standards are broad, but it is not clear whether they would be applied comprehensively by all staff involved in social work. It is also notable that while the PERMENSOS No. 108/HUK/2009 defines social work professionals and social welfare staff rather broadly, it is not clear whether these requirements would be applied to professionals dealing with social welfare issues in other sectors critical for child protection, such as health units (and especially health unit-based integrated service units) as well as juvenile justice professionals. According to the PERMENSOS (*as quoted in (Ministry of Social Affairs of the Republic of Indonesia, 2011)*):

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[32]   http://www.kemsos.go.id/modules.php?name=News&file=print&sid=14543

- A Professional Social Worker is someone who works either in a government or private institution, who has the competence, professional skills and concern for social work, as obtained through formal education, training, and/or experience in social work practice to perform the duties of providing assistance and in managing social problems.

- A Social Welfare staff is someone who has been educated and trained in a professional manner to provide services and manage social problems and/or someone who works either in a government or private organization in the field of social welfare.

In particular, social welfare staff of the health institutions does not seem to be covered or aware of this process. Members of the FGDs for this assessment regretted that narrow application of social work professional standards, for example omitting healthcare sectors, would be a gap in ensuring sufficient quality of support to the children:

> *Our hospital is accredited, but the individual professionals are not… they do not have any certification. If they had to go through certification, they would have automatically failed. And this failure would be related to other, non-medical aspects of services (follow-up, psychological support) that we are not providing, since we follow universal service standards for healthcare (SPM). But when there is no certificate, there is not failure. (FGD member)*

It is also not clear whether the current set of standards covers ethical dimensions of working with vulnerable clients, e.g. though respective codes of conduct. Despite the existence of a Social Work Code of Ethics, members of the FGD held for this assessment believed that any of the existing standards of services for children are generally regarded as legalistic and mostly related to personal criminal or professional responsibility of the respective staff or organisation management. In particular, they seem to be lacking an ethical component which would establish moral principles of dealing with children.

> *"Child workers, doctors, they do have national guidelines and standards, and they can refer to it. These legal standards only explain what is understood as criminal behaviour. But do we have ethical standards for working with children? It must be a rule followed by all professionals, including paediatrics. It has to be additional to child protection law, and more about psychology, how the children feel… it should describe special skills which take into account child sensitivities." (FGD member)*

> *What is important is the attitude; the empathy of staff to the kids. It has to be considered when we recruit, it has to be a criteria. And also when they work, for performance evaluation, their attitude has to be monitored and assessed, whether in their daily work they show empathy to the kids. Their job description should be not only do a job as a job, but work with the heart, show pure love to children. (FGD member)*

Specific Requirements for Social Workers Working with Children

According to Save the Children, the Standards and Competences developed by the Government and the two professional associations contain specific elements covering social work for children. This assessment did not analyse this document to provide further detail on these specific standards.

Certification and Licensing of Social Work Professionals

Indonesia's social worker certification system seems to consist of at least two frameworks which are not clearly related:

- The Ministry of Social Affairs Decree (PERMENSOS) No.108/HUK/2009 on the Certification of Professional Social Workers and Social Welfare Staff establishes a certification system under this Ministry. The system includes a certification body with member selected for a 5 year period, with the first team of board members already in place for 2011-2015 *(Save the Children, 2011)*. However, in the absence of access to the actual text of the decree or further assessments of its effectiveness, it is difficult to provide further details or analysis of this mechanism.

- According to *Adi Fahrudin*, the only frameworkwhich is actually functioning in practice is a "semi-government licensing system" under the Ministry of Manpower and Transmigration for the Professional Certification National Board. This system assumes licensing of all kinds of professional workers, including the social workers. However, it does not have any specific type of certification for social work practitioners or any professional requirements for issuing such licenses.

The two systems do not seem to be working effectively at the moment. Lack of clarity on the links between the two systems and lack of evidence on their actual effective implementation seems to be one factor why the system of certification and licensing was described as so dysfunctional in the latest literature *(Fahrudin, 2013)*.

Professional Associations

Associations of social workers have existed in Indonesia for many years and are very active. Professional associations in the social work area are very active in Indonesia and are playing key role in the recent reforms to develop professional standards, competences and certification systems. The four key associations in this area are:

- The Indonesian Association of Social Workers (Himpunan Pekerja Sosial Indonesia, HIPSI) established in 1987

- The Indonesian Association of Professional Social Workers (Ikatan Pekerja Sosial Professional Indonesia, IPSPI), established in 1998;

- The Indonesian Association for Social Work Education (*Ikatan Pendidikan Pekerjaan Sosial Indonesia, IPPSI*), established in 1985;

- The Indonesian National Council on Social Welfare *(Dewan Nasional Indonesia Untuk Kesejahteraan Social (DNIKS)*, established in 1982.

Associations are involved in legal drafting, outreach and international co-operation. As was discussed earlier, the IPSPI, IPPSI and DNIKS strongly cooperated to develop professional standards for social workers together with the Government. The Indonesian Association for Social Work Education also remains in close touch with the International Association of Schools of Social Work, working together on developing new curricula and training capacities.

INDICATOR 3.2.
PERSONNEL ACCOUNTING AND PAYROLL CONTROL

The Government is equipped with the following tools to oversee activities of the child protection work force:	C (1.5)
· Agencies involved in child protection support personnel databases of child protection staff which are directly linked to payroll, which are regularly updated and reconciliated;	Yes, restricted (0.75)
· There is a system of payroll audits to identify control weaknesses and ghost workers;	Yes, restricted (0.75)
· Average absenteeism rates in representative samples of different cadres of staff working in child protection are low and decreasing;	No (0)
· There is a robust system of support and oversight of the child protection activities undertaken by the paraprofessionals (such as community volunteers).	No (0)

Staff Databases Linked to Payroll

Indonesia runs a special system for personnel accounting and automatic cross-check with budget allocations, but it is limited to central level civil service staff. As was discussed earlier, Indonesia's control on payroll expenditures is based on an IT system of personnel management which links human resource accounting to respective budget allocations. The system is overseen by the Government Employee Administration Agency *(Badan Kepegawaian Negara* or *BKN)* which records all civil service staff appointments throughout the government. This system is linked to personnel accounting systems at the level of the MDAs and their records of salary expenses. There are some discrepancies between the two, but the links are constantly improved. However, this system of automatic payroll checks applies only to the central government and not to sub-national authorities, where commitment control on salaries is much weaker. Moreover, while the BKN system is relatively effective for payroll accounting within the civil service, it is not clear what personnel accounting systems are used to manage contracted staff and personnel in the state-funded institutions *(World Bank, 2012).*

Absenteeism

Overall, publicly funded social sectors in Indonesia suffer from very high rates of absenteeism and moonlighting, although steps are being gradually taken to address the issue. The 2007 Public Finance Review by the World Bank noted that throughout these sectors, "absenteeism is common and second jobs are frequent; in fact second jobs are often officially given as rewards for loyal service" *(World Bank, 2007)*. There is no data on absenteeism rates specifically for frontline posts in child protection, but high rates were reported for adjacent fields of education and healthcare. For example, SMERU Research Institute reports that in 2008 around 14% of teachers are regularly absent from classes, even though this number has been declining compared to previous years. Of all absent teachers, about a quarter were away doing other things unrelated to teaching or had no reason for their absence. It was also shown that contract staff has a higher level of absenteeism compared to civil servants *(Suryahadi & Sambodho, 2013)*. Some of the recent steps to address this issue include the introduction in 2014 of an electronic "attendance" by the Ministry of State Apparatus *(Kementerian Pendayagunaan Aparatur Negara)*.

Some of the reasons identified for absenteeism in education and health sector seem systemic and are likely to equally impact frontline workers in child protection services. These reasons include inadequate infrastructure which makes it difficult for staff to get to their posts (especially in remote areas); dissatisfaction with the working conditions and salaries; side jobs; and the knowledge that missing job would not result in any sanctions *(Ramadhan, 2013)*.

Support and Oversight of Paraprofessionals

At the community level, Child Protection is exercised with strong participation of volunteer cadres. As in many neighbouring countries, Indonesian local governments use the practice of employing volunteers (village cadres) to assist in community-level social welfare projects in return for no or very symbolic compensation. Our interviews in South Sulawesi confirmed that village cadres are actively engaged there as social workers in Child Protection initiatives.

- **Village cadre social workers are a strong asset.** Community-based volunteers are invaluable because of their intimate knowledge of the local situation. They have the opportunity to talk to the victims and their families in confidence, to influence critical situations before risks materialise, and to offer advice, information and support on dealing with the crisis.

- **At the same time, the potential of community-based social workers is limited by their fear of local authorities and traditions.** The downside of being trusted village members is that volunteer social workers leave a lot of their cases unreported and prefer to deal with issues with minimum engagement of authorities. As a result, they often lack resources to address problems. Moreover, the valuable data they collect on actual scale of Child Protection problems (prevalence of abuse, violence, neglect, true numbers of school dropouts etc) stays outside official statistical reports.

INDICATOR 3.3.
CONTINUITY OF POLICY COMMITMENT, KNOWLEDGE AND SKILLS ACROSS ELECTORAL CYCLES

Governments at all levels developed mechanisms to ensure continuity in policy implementation and institutional memory between electoral cycles, including:	C (1.0)
· Civil service regulations which ensure against excessive staff turnover following elections;	No, extended (0.25)
· Arrangements for provision of non-partisan child protection policy advice and guidance to elected officials at all levels;	No, extended (0.25)
· Capacity building covering key child protection issues and policy updates for newly elected officials and newly recruited staff (including manuals and other written materials);	No, extended (0.25)
· Documentation of experience and working practice of elected officials at the end of their term which could be used as guidance for the future.	No, extended (0.25)

Introduction of direct elections of national and sub-national councils and executives has been a critical element of the country's democratisation and decentralisation. Since the beginning of these reforms, elections at all levels in Indonesia were praised for peaceful transfer of power and high level of voter participation *(Hillman, 2011)*. However, there have also been significant weaknesses in the electoral process, such as wide-spread cases of fraud, corruption, and "strong patronage relationships between candidates and voters" *(Sjahrir, Kis-Katos, & Schulze, 2013)*.

Electoral cycles seem to have palpable impact on local spending and local service delivery. This is a rather usual feature for a young democracy: unlike in most established democratic systems, in the early ears of democratic transition voters tend to reward elected politicians for ad-hoc pre-election increases of spending. Recent research shows that since the introduction of direct election of the district executives in Indonesia, spending at the local level have shown a clear cyclical pattern, hiking right before the elections *(Sjahrir, Kis-Katos, & Schulze, 2013)*. Several papers also observe how relations between citizens and politicians have become no less, but even more clientilistic. Even if where dominating elites have changed, they may have been replaced with no less influential new cohorts of politicians whose relationships with the constituencies are based on traditional approaches of buying loyalty and voted through unaccountable distribution of public goods and services *(Jelmin, 2011) (Semedi, 2013)*.

Accurate assessment of mechanisms for technical continuity across election cycles requires better evidence. No existing literature at this moment seems to have any evidence on the organisation of technical support to service delivery structures at

the local level to ensure continuity across political cycles for any sector, let alone specifically for child protection. Accurate assessment of this dimension requires in-depth analysis of administrative and political regulations, as well as further surveys and consultations to understand what norms and arrangements are currently in place and whether they are working effectively.

Indirect signals of strong political cycles, corruption and clientelism seem to reflect that policy continuity is weak, even though elections as such are a promising new tool for local democratic accountability. However, the actual fact of pronounced political cycles within public spending combined with strong evidence of political clientelism is of concern to overall continuity of service provision and the effectiveness of any non-partisan oversight over policy decisions across elections:

● Corruption and clientelism are alarming signs of the possibility of technical appointments resulting from political commitments rather than strategic policy needs;

● Pre-election hikes in spending biased towards populist projects signal that strategic policy considerations across election cycles are weak;

● There is no visible evidence of specific effort to raise child protection awareness elected politicians at the local level, although this needs verification;

● Institutional memory and transfer of knowledge across appointments in the child protection sector overall was described by the FGD members as very weak.

INDICATOR 3.4.
PROFESSIONAL TRAINING FOR PERSONNEL WORKING ON CP SERVICE DELIVERY

Education and Continued Development system contains:	B (2.25)
· A university degree programme in Social work whose curriculum includes courses on social services, developmental issues, protective and preventive topics, and therapeutic interventions;	Yes (1)
· A vocational qualification programme in social work or child development whose curriculum is approved by relevant authorities;	Yes (1)
· A system for continued education and development for social work professionals;	No (0)
· Specific training on child protection for education workers (such as teachers), health professionals, and for staff within the Ministries with lead Interior & Home Affairs role and lead Justice roles on Children&Justice.	No, extended (0.25)

University Degree programmes

Social work degrees are provided in many universities throughout Indonesia. According to the Indonesian NGO BPSW (Building Professional Social Work), several universities in Indonesia are currently offering master's and doctorate level degrees in Social Work[33]. Many Universities also have programmes in Social Welfare Studies and even specific research centres dedicated to this field (such as the University of Indonesia in Jakarta).

Work is on-going on further development of curricula and capacity building of senior educators. At the same time, setting up a modern system of social work training and development in Indonesia is also work in progress. As was discussed earlier, recent years have seen active co-operation of the universities, professional associations, the Government and the donors, to develop key competencies for social work professionals and respective curricula to ensure respective training. Many donors, as well as the IASSW, are working on direct capacity building of Indonesia's social work educators. Active work is on-going on development and standardisation of curricula. In particular, Save the Children helped to develop core curriculum for social work education which has been adopted in 35 education facilities across the country *(Save the Children, 2011).* The BPSW was also active in helping to develop curriculums in some of the universities. Much work was done through the Association for Social Work Education which co-operated with the International Association of Schools of Social Work (IASSW) to ensure international standards in social work curriculums, although it does not seem to have already influenced the actual curricula used in the country *(Fahrudin, 2013).*

Vocational Qualification Programmes

Higher education in Indonesia offers both theoretical and vocational degrees. The social work programmes described in the previous section generically refer to theoretical as well as practical education. Overall, there are 35 schools/colleges offering social work/welfare degree in Indonesia. In addition, 12 Indonesian Schools of Social Work are active individual members of the IASSW:

-        Padjadjaran University;
-        School of Social Welfare in Bandung;
-        Sunan Kalijaga State Islamic University Yogyakarta;
-        Syarif Hidayatullah State Islamic University;
-        Tamalanrea School of Social Work;
-        University of Bengkulu;
-        University of Cenderawasih, Papua;
-        University of Gajah Mada;
-        University of Hasanuddin;

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[33]   http://www.bpsw.org/current_indonesia.html

- University of Indonesia;
- University of Jember; and
- Widuri School of Social and Political Sciences.

There is no publicly available information on the details of the curricula and the scope of vocational training within the current education system. However, it is assumed that all these institutions are covered by the national programme for standardisation of curricula led by the IPPSI and the Ministry of Social Affairs.

Continued Professional Development

Access to continued development is not regular and is obstructed by poor motivation, perceived high costs and difficult access to training centres in remote areas. There is no information on whether social workers employed in Indonesia have regular access to further professional training, since this assessment did not undertake any survey to verify the actual situation. By the rule, the training should be mandatory and regular; for example, in the case of MOSA, it must be provided through specific trainings (not more than 4 days), conducted by specific directorates as well as longer-term trainings conducted by training centres. According to the FGD members, actual access to training is irregular and there are many barriers to establishing such training practices.

- Civil servants in Indonesia are supposed to attend periodic trainings, and attendance of such trainings is an important factor in their career development, especially as they rotate to other locations. As will be discussed further on the section on salaries, the level of financial compensation for civil servants strongly depend on their rank, which, in turn, is defined by education and seniority. This stimulates civil servants to actively seek education which would make them eligible for a higher rank *(Simanungkalit, 2012)*. However, there are several available programmes for continued development in social work and child protection are not duly certified, which makes them less attractive as career development instruments.

- The other usual hindering factor is the cost of attending. However, funding mechanisms and sources for such courses are not yet clear and require further investigation (it is not entirely clear whether the courses are provided by public or private institutions, and whether social welfare staff are sent for training at the cost of the department or at their personal expense).

- FGD members also believed that remote areas were especially likely to have no access to training opportunities for the simple reason of their geographical detachment from major training centres. On-line distance learning options would theoretically be a solution but given poor infrastructure and lack of internet connection, it has been also difficult to implement.

Training for Professionals in Other Sectors

There is no systemic programme of specific child protection training for professionals in educational settings. As was discussed earlier, Indonesia has introduced a range of regulations which establish general principles for child protection in educational settings, but it has been difficult so far to implement these rules in practice. One particular barrier was lack of specific policies and procedures for child protection which could be taught to educators. Indonesia is reported to have a code of conduct for the teachers, but the 2012 UNICEF study found that the teachers were usually not aware of its existence and content. The study stated that in the research sample "no teacher or principle had read the code nor was it available in any schools visited" *(UNICEF EAPRO, 2012)*.

At least basic child protection skills are taught to officers of the specialised police units. Police staff working in the Women and Children Service Units (UPPAs) have particular tasks related to child protection and are therefore supposed to receive appropriate induction. However, as was discussed earlier, sometimes the quality of such training is probably rather basic *(Amnesty International, 2012).*

INDICATOR 3.5.
PERFORMANCE EVALUATION

Human resource management rules include the following:	C (1.75)
· Staff working in child protection have written, sufficiently detailed and regularly revised job descriptions which accurately reflect their duties and responsibilities;	Yes, restricted (0.75)
· There is a formal system for assessment of staff performance, which is clearly linked to job objectives and to reward levels received by staff (salaries, promotion chances, training opportunities or other benefits);	Yes, restricted (0.75)
· There are transparent rules to encourage extra effort by financial or non-monetary rewards;	No, extended (0.25)
· There is a robust system to sanction poor performance.	No (0)

Job Descriptions

Child protection workforce in Indonesia seems to be a mixture of civil servants employed by central or local governments and contract workers, including short-term workers. In the last years across social sectors, the Government attempted to shift contract workers into civil service positions, given that regulation of civil service staff has been clearer and more effective. Compared to contract workers,

civil servants usually have clearer job descriptions and the Government has stronger leverage to link their performance more clearly to their achievements *(World Bank, 2007).*

Civil servants have formal job descriptions but there is no evidence on the quality and applicability of these documents and on whether they are regularly updated. Description of primary functional tasks in written job descriptions seems to be mandatory for civil servants, also this needs verification. The quality of the job descriptions is also an unknown, as well as whether service providers in the field comply with this requirement and actually design and update job description for their staff. This means that it is not certain whether the existing job descriptions have sufficient coverage of child protection tasks and duties, and whether performance against objectives relevant to child protection is thereby included into the formal performance assessment for such workers.

Availability of job descriptions in the non-civil servant segment of social welfare professionals is much less likely. While no evidence exists specifically for social welfare and child protection, contract employees were found to not have clear tasks in other sectors such as Healthcare. In 2011, WHO found that "many nurses and midwives did not have formal job descriptions", highlighting risks of exceeding their professional and competence boundaries and limiting effectiveness of their performance assessment *(GHWA, 2011).*

Performance Evaluation Cycle

On the one hand, Indonesia uses a strict and regular process of performance evaluation of its civil servants. While there is no confirmation specifically for child protection, a random sample of government organisations surveyed by the World Bank showed that performance evaluation for individual civil servants was "regular, transparent and fair". Respondents believed that they understand evaluation criteria, these criteria are realistic and do not change substantially over time *(World Bank, 2012).* Performance evaluation also seems to impact the employees "performance category" which, in turn, is taken into account in the calculation of the salaries *(Tjiptoherijanto, 2012).*

However, current approach to evaluation in the civil service seems to have almost no focus on performance and achieved results. In the World Bank survey, even the heads of the public service units who undertook evaluations were not certain that the standards used for evaluation are clearly linked to actual job results. They also believed that individual performance was not linked to the expectations and standards to the services to be provided by the agency in general. It is also notable, that the current process of performance evaluation does not include analysis of complains from service users and the public *(World Bank, 2012).*

There is no evidence on what approach is used for performance evaluation of child protection staff outside the civil service, including the contract employees.

Rewards

Salaries of Indonesian social servants are a combination of amounts based on rank and on level of effort. Most salaries of Indonesian civil servants follow the logic of a "Combined scale system", where the ultimate result of the salary is a combination of an amount which reflects the rank and does not depend on achievement and an amount which reflects the level of effort and achievement (e.g. big responsibilities or high risk duties). The salaries usually consist of three components *(Tjiptoherijanto, 2012)*:

1. A basic salary, the size of which depends exclusively on the person's rank within the civil service hierarchy. Indonesian civil service is classified into four ranks (which are in turn divided into grades), based on education level and seniority. For example, the highest III and IV ranks require a university degree.

2. Standardised allowances, e.g. a rice allowance or a special allowance for civil servants working in remote areas;

3. Salary supplements (cash or in-kind), e.g. bonuses, provisions for transport or daily subsistence.

Exact procedures are rather complex, often defined by separate regulations. Some types salaries are defined by entirely separate procedures defined in specific Government regulations, such as the salaries of the judges. Salaries are subject to "Regular" and "Special" adjustments. Special adjustments are supposed to reflect exceptional performance.

Theoretically, regional authorities can raise local salaries by establishing local supplements. However, as was discussed previously, the recent decision to fully compensate local governments the costs of civil service wages through the general transfer from the central budget significantly weakened any motivation for such policies.

Recent literature is highly sceptical about the capability of the current salary structures to incorporate and motivate better performance. In view of some observers, the actual calculations rarely take job performance into account *(Tjiptoherijanto, 2012)*. Others note that rules for defining salaries are so complex that this burdensome approach by itself makes it nearly impossible to reflect and communicate the link between compensation and performance *(Simanungkalit, 2012)*. The World Bank believes that the amount of discretionary elements in the salary package (comprising the various allowance and honoraria) is so complex and non-transparent, that it becomes very prone to abuse *(World Bank, 2007)*.

At the same time, there are very few non-salary incentives to motivate better performance among professionals inside the civil service. Promotion criteria are mostly based on seniority rather than work achievement. Other types of non-financial stimuli are essentially absent *(World Bank, 2007)*.

Initial attempts by the Government for civil service reform have affected some high rank officials but were not yet comprehensively rolled over. The Government begins to implement a civil service reform, which includes attempts to better reflect job achievements in the level of compensation. The reform began with development of an alternative model for staff remuneration launched by the Ministry of Finance. However, at the first stages, these new ideas will be developed only for the high rank officials, to be later rolled over to the entire civil service force. Individual changes are considered by some line ministries; an important example is Education sector which attempts to link teacher salaries to the certification level.

There is entirely no information on the system of rewards and motivations for the non-civil servant employees in the child protection sector.

Sanctions

According to World Bank, civil service regulatory framework in Indonesia has "few credible sanctions for poor performance and corruption"*(World Bank, 2012).* The general principle seems to be that under-achievement according to general evaluation standard negatively influences remuneration and career prospect. However, it is not clear whether there is an additional system of personal responsibility for significant professional malpractice.

> *The big problem is sanctions for the personnel who work in child protection. Children are the future; if you damage them, the future will be damaged. So there are supposed to be appropriate sanctions for people to work according to standard. But especially in remote areas the approach is: if there is a problem, we have to work it out quietly, and if not – we just abandon it and that will be better. They have a localism to handle their problems without outside intervention. So what makes these children suffer is us, we are offering them a half-service. In services for children, monitoring and sanctions is critical – and it has to be imposed by the government to any organisations, including NGOs. (FGD member)*

INDICATOR 3.6.
ABILITY TO ATTRACT AND RETAIN QUALIFIED STAFF FOR CHILD PROTECTION

The Government attracts and retains qualified child protection professionals through ensuring the following:	C(1.0)
· Child protection duties and posts provide level of financial compensation and career opportunities which are comparable to other posts in same sectors;	No (0)
· Average remuneration of staff working on child protection (across all ministries/sectors) is generally comparable to average national wages;	Yes, restricted (0.75)
· Broad public considers social work to be a relatively well respected, prestigious and desirable profession;	No (0)
· There is a reasonable level of personnel stability on frontline and managerial posts in child protection, resulting from low non-retirement turnover and balanced transfer policies.	No, extended (0.25)

Non-Discrimination of Child Protection Duties

While there is no evidence on direct financial discrimination of child protection posts, the current system of career development results in significant indirect discrimination. The major reason is lack of institutional and professional parity between tasks focused on child protection issues compared to "regular", that is "adult", concerns. Even though there is no explicit legal provision which would dictate such difference in institutional status, it nevertheless exists as a strong perception across civil service. In turn, it affects remuneration policies, promotions, transfers and, ultimately, career choices.

> *"There is also a negative perception that handling the child case you don't have a pride, your achievement is lower compared to adult or general cases. This is wrong, this is discrimination, but this is how it is in practice. This has implication on willingness of professionals to engage in child protection cases. For example, to be promoted, say to become the head of the division, the condition is that handling child cases is not enough. This is unfair, especially given that, in fact, child cases often require more knowledge and skill." (FGD member)*

The area where such discrimination seems most pronounced is juvenile justice. First, according to the FGD reports, engagement in juvenile cases is widely seen as professionally inferior compared to "adult" or "regular" cases. This means that officials in the justice sector who specialise in child protection essentially ruin their promotion chances since it is reported to be almost impossible to receive a managerial or higher-rank post without due experience in "proper, adult" cases. Secondly, focusing on child protection is feared because the share of juvenile cases is relatively small. The legislation seems to be unwelcoming to the idea that juvenile

and regular justice duties could be combined, and therefore judges and prosecutors avoid careers dealing with children given that they would not get proper practice and professional development.

> *"Human resource management for child protection is not easy because handling child cases involves more complex work and more effort compared to adult cases. With children you have to deal with more people – their parents and so on; the follow up actions are much more complicated. But the share of child cases is relatively small (for example in September we had 11 child cases and over 50 adult cases). So, people are afraid that if they focus on children only and are not allowed to deal with adult cases, their careers will be at risk. If we don't allow such combination, people will run. Personally, I have allowed this in my area, and when I am asked about the legal basis, I say that the basis for my decision is Koran, because I think such decision is fair." (FGD member)*

Child protection is discriminated not only through individual careers but also at the level of facilities. Members of the FGD discussed how justice professionals avoid service in juvenile correction facilities *(Balai Pemasyarakatan, BAPAS)* and prefer regular prisons (Lapas) because of their perceived higher professional status and prospects. Again, these perceptions are not supported by any explicit legislation or rules, but are strongly rooted in the institutional values and attitudes.

Remuneration Comparable to Other Jobs

Contrary to popular belief, overall compensation package to civil service employees is often comparable to non-state sectors. Generally, public sector jobs in Indonesia (across all sectors) are often described as significantly lower compared to private sector, which is sometimes given as a reason for poor performance and a barrier to attracting qualified individuals. However, it seems that in reality the situation is not as simple. World Bank assessment of Indonesia's public expenditures in 2007 concluded that while the basic salary component for most posts may indeed be rather low, the overall compensation package (including the multiple benefits, allowances and honoraria) – across many sectors – is in fact no lower compared to private sector employees *(World Bank, 2007).*

Average civil service wages are higher than national average for non-state employees with secondary and higher education. According to Indonesia Labour Force Survey, in general across civil service in Indonesia, monthly average salary in 2004 was Rp 1.03 million. This is higher than average monthly salaries in non-civil service for individuals with secondary and higher levels of education. The average level of pay depends on the fiscal space available for the allowances in any given agency, and seems to be higher at the central level *(World Bank, 2007)*. Another signal that perhaps jobs in the public sector in Indonesia are, in fact, relatively attractive in spite of complains over low wages is the very low non-retirement turnover in the country's civil force – as will be discussed further in this section *(World Bank, 2006).*

It also needs to be verified whether this conclusion holds specifically for those posts and sectors which are involved in child protection service delivery. Generally, child protection posts seem to concentrate in lower ranks and may therefore be an unfortunate exception from this optimistic conclusion. However, it is therefore important to keep in mind that generally public sector wages do not necessarily have to be lower than in the private sector, and at the very least significant increases are possible for such staff where fiscal space and political will is sufficient.

> *"In child protection like in social work, most professionals don't expect money and they work on almost voluntary basis, but it is not easy to find people like this. People have to live, to survive, they need sufficient, decent wages." (FGD member)*

But generally studies find that increased wages do not seem to be the only and most reliable way to improve performance in Indonesia's public sector. The World Bank strongly believed that increasing financial compensation as such cannot be the only or key way to increase civil service performance in any sector. Instead, a more comprehensive system of incentives must be found to attract and stimulate the staff.

Prestige and Respect to Profession

Existing opinions seem to agree that social prestige of the child protection profession in Indonesia is very low. Overall, Indonesian society is still sceptical about social work generally, and regard it as less sophisticated and important compared to other fields.

> *Child protection in Indonesia is not an attractive sector, for example compared to doctors. In the high school children want to go to medical school, but few one want to go to STKS (Sekolah Tinggi Kesejahteraan Sosial (STKS)). (FGD member)*

Low respect is mostly because of perception that this field is "not serious" and because it does not offer promising career options. Interestingly, none of the accounts on the subject found by this assessment explained this grim situation with the low financial prospect as such. Instead, the reasons deal with the public perception of social work as not entirely serious and also with poor career opportunities in this field.

- As explained by *Adi Fahrudin*, "doctors, nurses, teachers and psychiatrists are better known as 'professional' and better regarded compared to social workers." One reason for this is that doctors can at least prescribe medications, while social "cannot even prescribe anything". It also does not help that it is a common practice to call oneself or others "social workers" without necessarily having any appropriate training, which adds to an impression that this field is not serious or important *(Fahrudin, 2013).*

- It is believed that training for social work is a very limiting career choice, because attractive opportunities in private social practice are "almost non-existent", and in the publicly funded posts social workers usually end up on the lower or midrange job positions *(Fahrudin, 2013).* Also, given lack of clear and internationally excepted standards for the field, many believe that getting a social work education limits future opportunities to work abroad.

Personnel Stability

On the one hand, Indonesian civil service as a general has a very low level of non-retirement turnover. Despite the general belief about relatively low wages in the public sector, getting and keeping a job as a civil servant is a popular career choice. This is also reflected in excess demand for entry-level civil service jobs. There is also some evidence that even contracted employees are often ready to accept wages below those in the regular civil service in order to become preferential candidates to enter civil service *(World Bank, 2006).*

At the same time, personnel stability in the civil service generally, and in child protection related sectors in particular, is severely undermined by inefficient personnel transfer policies. Unfortunately, this assessment was not able to access original legislation which defines staff transfer policies for the key sectors involved in child protection (social welfare, justice, health). However, major inefficiencies in transfer policies are described in the literature on other sectors (education, environmental protection), and numerous complaints were voiced on the subject during the FGDs held for the child protection sector.

The key weaknesses in current transfer procedures seem to be its big scale, inconsistency, fragmented decision-making and non-transparency:

- **Scale.** FGD members reported that turnover in child protection related areas is very high both at the central and sub-national level.

- **Inconsistency.** Staff is very frequently transferred to areas almost completely different from the person's earlier experience and training. This undermines continuity in program delivery but also requires repeated and excessive investment in training (given that new officers transferred to child protection posts also tend to originate from unrelated areas).

> *"Shifting staff could be ok, but only if they move to relevant sector and area. I was transferred during my service, and it was not always between child protection posts. They moved me to higher position, but not related to child protection – it was another area which is not my skill. And also people who replaced me on the post which I left, they had no understanding of child protection. And so we had to train, and train again and again. This is a big issue for child protection. (…) There is no requirement for staff who finished training to remain in their post or their organisation for a certain period of time. (…) So, training is only for*

people to become smart, for individual benefit, not to improve the system of child protection – because they move and the knowledge is lost for the system. This is ineffective investment." (FGD member)

- **Organisational disconnect between HR and program management.** According to the accounts by FGD members, transfer policies are managed by the HR departments which tend to be almost entirely disconnected from the sector level policy-making process. Decisions to reallocate staff do not seem to be agreed with either sector priorities or with respective unit heads.

  "People responsible for human resource transfer decisions do not consider their decisions from the point of view of government policies and in particular child protection. They think about transfers in general and do not think about impact to the programs. So, for example… It is not the direct head of a particular person who makes the decision to move a person and who is aware about the possible consequences, but another section who handles human resources. Their consideration is not about program or services, but only staff issues – for example, someone's grade is already high, the position is high, maybe someone stayed on post for too long, and so they just move this person, without even asking the head of agency and they don't care about the impact. And this is not only for the staff in child protection, but it is a general problem for all civil servants in Indonesia." (FGD member)

- **Lack of transparency. Child protection specialists complain that transfer decisions are "very secretive".** Civil service personnel do not feel that they understand the logic of the transfer and when shifts happen they are usually sudden and disruptive.This not only demotivates staff but also makes it essentially impossible to organise structured transfer of duties and institutional memory.

  "Another problem with turnover is that it is very secret. Sometimes already after inauguration, you are invited to show up in some agency, but you don't know where exactly you are moving, what post". (FGD member)

INDICATOR 4.1.
USE OF EVIDENCE IN THE POLICY PROCESS

Analysis of major trends in child protection contexts to identify key vulnerabilities and priorities for action manifests in the following:	C (1.25)
· Key Child Protection programmatic documents (strategies, policies, white papers, laws) utilise data from key national surveys (CDC, MICs, DHS, ILO-IPEC etc);	Yes (1)
· Key Child Protection programmatic documents contain analysis of trends in administrative data (service types and coverage, profile of key risk groups);	No, extended (0.25)
· Analysis of trends in child protection data is referenced in budget proposals and medium-term expenditure plans;	No (0)
· Key ministries with responsibilities for CP receive training and capacity building in data management, statistical analysis and evidence-based policy-making.	No (0)

Use of Surveys

The PNBAI contains extensive references to BPS survey data. Indonesia's National Programme for Indonesian Children 2015 *(Program Nasional Bagi Anak Indonesia or* *PNBAI)* **contains extensive analysis of most available types of data.** The types of data referenced for each of the child protection issues are summarised in Table 3. It shows that the most visible source of information for child protection are BPS surveys *(Susenas,* crime statistics) as well as data collected by the Ministry of Social Affairs.

Table 3.
Types and Sources of Data Analysed in The PNBAI 2015

Issue	Type of Data Analysed	Summary of Analysis
Child Labour	BPS data on children in labour force (Susenas)	Prevalence of child labour, types of work ("mostly rural and agricultural")
	KPAI	Causes of child labour ("wrong attitudes, poverty, school drop-outs, poor legal scrutiny").
Commercial Sexual Exploitation	-	Admits that there is "not yet clear what is the number of children exposed"
Child Trafficking	BPS Child Welfare Indicators as indirect source	Number of child domestic workers (as one potential reason for trafficking)
Refugees, Armed Cconflict	Data from Office of National Coordination Agency	Number of refugees, estimates of children refugees (high number).
	Ministry of Social Affairs	Number of children victims of communal and social conflict (high number; vast scattering across provinces).
Children without Birth Certificates	BPS (Susenas)	Urban/rural profile; reasons for not having ("low awareness; poor access to services").
Violence, Abuse, Maltreatment	Cases reported to police	Admits that accurate data is not available, "because many cases of child abuse are not reported". Also admits that evidence in reports often not sufficient for further legal action.
	Report by National Commission for Child Protection (Komnas-PA)	Selected prevalence data
	YKAI	Selected prevalence data; selected data on perpetrators ("generally known to children, including own parents").
Substance Abuse by Children	KPAI	Number of children affected ("high and increasing")
	YKAI	Number of young drug addicts by age groups ("all age groups affected even youngest"); background conditions ("influence of environment and unstable personality").

Issue	Type of Data Analysed	Summary of Analysis
Street Children	Ministry of Social Affairs, review in selected major cities	Number of street children (high); stock and flow data (almost half of street children were new in review year); causes (school drop-outs; family issues); gender related risks (18% females at high risk of sexual violence, early pregnancy, STD and HIV/AIDS).
Children in Conflict with The Law	BPS crime statistics	Numbers of child prisoners (decreasing); types of offence (mostly petty); type of sentence (usually less than 1 year).
	Statistics by the Correctional Institution (Dep. Kehakiman)	Numbers of children in detention
	Ministry of Social Affairs	Number of children with social welfare issues as a risk group (high).
Children in Need of Special Protection	Source not clear	Number of children in need of alternative care
	UNHCR Statistics	Number of children re-united with their parents in East Timor
Children from Remote Community Groups (KAT)	Ministry of Social Affairs	Estimated number of KAT households and % of KAT households with children (30%).
Children with Disabilities	Ministry of Social Affairs	Number of children with disabilities (high);
	KPAI	Causes of disabilities (high % of incidents and natural disasters); types of disabilities.

Use of Administrative Data

Utilisation of administrative data is much more limited, not least because this data is itself scarce and poor quality. Use of data collected through policy delivery by government agencies is also visible from Table 3. On the one hand, it shows extensive reliance on the data collected by the Ministry of Social Affairs, as well as some case data from the police and detention facilities. However, it also shows almost complete lack of statistical inputs from other line ministries and gaps of any evidence to illustrate problems and recommendations related to violence, abuse and maltreatment of children, their commercial sexual exploitation, and trafficking. Almost no evidence-based analysis is provided on children in emergencies and very limited evidence is quoted to explain policy issues for children in minority groups, including remote communities.

Data Analysis in Budget Negotiations

Despite the rigidities of budget rules, line ministries still engage in important budget negotiations which define their allocations. As was discussed in detail in previous sections, budget preparation guidelines and routines in Indonesia are very rigid and input-based, leaving little scope for and incentive for evidence-based budgeting. However, development of draft budgets still assumes a range of important negotiations, mostly at the level of Bappenas and the Ministry of Finance.

- Bappenas plays key role in determining budget allocations, it determines sector ceilings jointly with the Ministry of Finance and with active involvement of the President and Vice-President, with reference to the five-year plans and the MTEF. This is done through a series of internal workshops to discuss specific priorities for the upcoming year and any new program initiatives.

- Individual line ministries can sometimes also participate in these internal discussions – either directly or through their respective co-ordinating ministries. This stage results in a budget circular with indicative budget ceilings for individual line ministries already broken down by programmes and expenditure types.

- The line ministries finalise their annual draft budgets within these ceilings, which are then agreed with Bappenas and the Ministry of Finance.

- The government-wide workplan is presented for discussion with the Parliament, to agree on major policies and priorities.

At the same time, utilisation of data analysis in these negotiations seems to be very weak. Unfortunately, it was not possible for this assessment to access any particular documents used to defend budget proposals. However, discussions in the FGD showed that line ministries generally are rather passive in their negotiating approach and often lack evidence-based arguments. This was also confirmed by the Bappenas, which systemically finds it difficult to support child protection initiatives for the lack of supporting data.

> *"For us in Bappenas it is difficult that there is no data to support budget allocations. For example if we want to advocate for bigger budget allocation to a certain child protection activity, if we don't have the data and we cannot analyse it, it is difficult for us to bring it up with policy makers. This is why data completeness is important, especially data on prevalence, and showing how it relates to our programs. It's supposed to be there, so that the issues can be handled and the programs receive appropriate budgeting. If you only talk, talk, talk, and there is no support of the data and there is no evidence, it is difficult to negotiate."*
> *(Bappenas Staff)*

Statistical Training for Policy-Makers

Line ministries in Indonesia usually have one or more structural units which are specifically dedicated to research and data analysis. Some examples of such units are listed in Table 4. One of the most elaborate structures for data analysis is supported by the Ministry of Social Affairs *(Kemsos)*, which includes a special Secretariat, and three centres for research, data analysis and training in social welfare. However, specific research function is also separated in other line ministries, including the Ministry of Manpower and the Ministry of Religious Affairs. Some ministries also use help of arms-length academic institutions.

Table 4.
Examples of Data and Research Units in Selected Line Ministries

Ministry of Social Affairs (Kemsos)	Social Welfare Education and Research Board	Badan Pendidikan dan Penelitian Kesejahteraan Sosial
	Centre for Education and Training of Social Welfare	Pusat Pendidikan dan Pelatihan Kesejahteraan Sosial
	Center for Research and Development of Social Welfare	Pusat Penelitian dan Pengembangan Kesejahteraan Sosial
	Center for Functional Development for Social Workers and Social Instructor	Pusat Pembinaan Jabatan Fungsional Pekerja Sosial dan Penyuluh Sosial
	Center of Social Welfare Data and Information	Pusat Data dan Informasi Kesejahteraan Sosial
MoWECP	Sector for Information Development System	Bidang Pengembangan Sistem Informasi
Ministry of Health	National Institute of Health Research and Development	Badan Penelitian dan Pengembangan Kesehatan (Balitbangkes)
Ministry of Manpower and Transmigration	Research, Development and Information Board	Badan Penelitian Pengembangan dan Informasi
Ministry of Religious Affairs	Training and Research Agency	Badan Litbang dan Diklat

However, statistical function is weak and not properly integrated into the policy process. It is not clear whether these units have either sufficient capacity or sufficient institutional authority and integration within the line ministries to be meaningfully involved into the policy process. Many members of the FGDs complained that those who are responsible for actual development and implementation of policies are usually either oblivious of any statistical considerations or have very little idea how data could help their work. Staff in regular units do not seem to ever receive any basic training in data analysis and evidence-based policy-making. This was also confirmed by representatives of the BPS who regretted that much of the existing statistics is wasted without application.

"Sometimes we have data, but we don't know how to use it and for what. There is already many data that were collected, there are reports, profiles of Indonesian children, but so what if we have these profiles? I think it is important that we have an ability to use the data. We have to use analysis to give data some weight, to give it voice. If you are only looking at the numbers, it can be just so boring. People who have to only look at numbers, they get really bored. Therefore, those who understand statistics, they should make data to be a useful thing. Especially because child protection is cross-sector, we need skill to capture the data from various sectors. We need to maximise the data impact." (FGD member)

"The data we get from BPS is rough data. There must be in each ministry some ability to manage this data, to use it according to the Ministry's needs. We get a lot of help from BPS, but if we left it to be done by ministries, they wouldn't be able to do it, I am sure, I am sure. Except if you do some outsourcing or pay some grants to others. Our problem is our personnel, they can't manage the data". (FGD member)

INDICATOR 4.2.
QUALITY OF CP DATABASES

Data on child protection recorded by national information systems:	D (0.75)
Uses consistent and standardised definitions and concepts which are appropriate for statistical purposes, allow tracking performance of existing CP programmes and facilities (within and across sectors), and include sufficient disaggregation by age, ethnicity, gender, and disability status.	No (0)
Covers variables sufficient to support decisions on most of the specific national CP policy priorities (e.g. migration-related risks, HIV, domestic violence, etc).	No, extended (0.25)
Includes data which describe prevalence of risk factors (root causes of protection vulnerability); prevalence of cases (magnitude of protection problems); case management and coverage; and evaluation (effectiveness of interventions).	No, extended (0.25)
Is verified and monitored to ensure that data is consistent and robust.	No, extended (0.25)

Analysis for Indicators 4.2 – 4.6 derives a lot of evidence from the 2010 CP MIS mapping by UNICEF, University of Indonesia and Columbia University. In 2010, a joint project of the University of Indonesia, UNICEF, and Columbia University Mailman School of Public Health undertook a specific study of Indonesia's Child Protection Information Management systems. This study mapped current stakeholders and processes for data collection and exchange, at national and sub-national level

(Central Java and Nusa Tenggara Barat) and compared current practices to the key criteria for effective data management used by the Centers for Disease Control.

Overall, this study concluded that "Indonesia does not yet currently possess a system capable of providing accurate and timely information of key child welfare and protection concerns – including the magnitude of these problems, causality analysis, and pattern and impact of programs and interventions". In terms of the quality of CP database in particular, the study noted that they currently lack quantity, quality and types of data needed to support protective environment for children *(UNICEF; Universitas Indonesia; Columbia University Mailman School of Public Health, 2010).*

Concepts and Definitions

Lack of consistency in child protection definitions throughout the system dramatically affects the quality of respective databases. The mapping of child protection information management by UNICEF et al. found that various actors involved in data collection and exchange used a range of unstandardized definitions and templates. Core concepts, starting with the very notion of the "child" and including "neglected children", "street children", "children in conflict with the law" etc. were understood differently, resulting in major distortion of respective databases. In addition to lack of standardised definitions, CP partners also lack consistency in the kind of indicators which they track. This adds to confusion and risks of gaps and overlaps in data collection and consolidation.

> *"At Bappenas, we are worried about lack of standardised definitions for data which is supposed to be standardised. So that the data is comparable and analysis will never be realistic! And these definitions need to originate from line ministries, from program implementers who can relate these concepts to child protection. Because BPS only collect whatever variables the ministries define." (Bappenas Staff)*

Key types of collected data, as well as major confusions and gaps in the definitions are summarised in Table 3. The table summarises major types of data relevant to child protection which are being collected by key actors, based on the analysis by the UNICEF study. It shows that while much effort is being taken by several actors to collect information, its applicability for child protection policy analysis is very limited because of the conflicting definitions and lack of basic disaggregation. In particular, major conflicts in defining age groups and child protection risks exist in the databases on child labour and on child neglect. Moreover, some of the definitions are vague, unclear or misleading – such as, for example, KEMENSOS definition of street children as "children 5-18 years old who spend most of their time on the street" (living out those who actually live there) or "neglected child" as such "whose parents are unable to meet their needs", confusing neglect with poverty.

"As a think-tank working on child protection issues, we see a major problem in how various departments define key concepts. For example, the definition of disabled children. The Ministry of Education calls it "children with special needs"; the Social Ministry have an entirely different own definition. So for us the major problem is consistency in numbers and databases, we need to have valid data". (Bappenas Staff)

In many cases, collection efforts seem to be overlapping. Statistics collected by KEMENSOS covers some of the risks analysed by other institutions, such as commercial sexual exploitation, domestic violence, homelessness. Indonesia Child Welfare Foundation (YKAI) seems to be collecting data on shelters which, theoretically, could be extractable from the BPS surveys. With due standardisation, coordination, and disaggregation of data these activities could have been optimised.

"It seems that sometimes the ministries are collecting data which cover same things, only definitions are different. But they collect these data only for the sake of their programs. So, the same work is done twice. If we had a standard definition we could avoid it and save budget money, because collecting data is very expensive." (Bappenas Staff)

There are major gaps in disaggregation of data. Table 3 also shows major gaps in data disaggregation. First, some of the important data collected by KEMENSOS on "social dysfunctions" (including on victims of violence, homeless people, beggars or victims of social and natural disasters) does not seem to be disaggregated by age groups, making children in these databases invisible. Data on children in alternative care also seems to be a black box in terms of specific age groups, gender, and other key characteristics. Key data collected by police and special police units for women and children is not strictly standardised and is gathered from narrative accounts compiled during investigations. Disaggregation of any risk groups by ethnicity and disability status seems non-existent.

Table 5.
Key Data Relevant to Child Protection Collected by Key Actors in Indonesia

Category	Type of data collected (Indicator)	Disaggregation	Agency	Comment
Labour	No. of children in prostitution		ILO	Depends on definition of the child, which is inconsistent across agencies.
	No. of those in prostitution under 18 years old		ILO	
	No. of children domestic workers		ILO	
	No. of children working in agricultural sector		ILO	
	Children participating in labour sector (agricultural, industrial, services)	Gender	BPS	
	Working children illiterate	Gender	BPS	
	Participation rate in labour force		BPS	
Institutions	No. of shelters		YKAI[35]	
	No. of institutions and children	District	BPS	
Education	School drop-out rate		BPS	
	School enrolment		BPS	
	Net enrolment ratio	Gender	BPS	
Family care, Neglect, Trafficking	% Children	Age group, living place, status in family; existence of parent	BPS	Definitions of orphans vary, depending on whether the child has one, two or no parents; KEMENSOS definition of "neglected child" very unclear and confused with poor family income; KEMENSOS definition of "street children" is unclear, contradicts UN definition and leaves out children who actually live on the street.
	% Children living without parent	Age group; status in family	BPS	
	% Children having birth certificate	Gender; district; area type		
	% Early childhood neglected by mother or trustee for more than 20 hours a week		BPS	
	% Early childhood whose mother or trustee works		BPS	
	% Early childhood who are fatherless, motherless or orphan	District	BPS	
	No. of adopted children	District; domestic / international	BPS	
	No. of trafficked children	District	BPS	
	No. of separated children	District	BPS	
	No. of street children		KEMENSOS	
	Neglected early childhood		KEMENSOS	
	Neglected children		KEMENSOS	
	Abandoned children		KEMENSOS	

[35] YKAI – Indonesia Child Welfare Foundation (Yayasan Kesejahteraan Anak Indonesia)

Category	Type of data collected (Indicator)	Disaggregation	Agency	Comment
Children and Law	Delinquent juvenile		KEMENSOS	
	Any criminal cases where children are involved (as offenders, victims, or witnesses).			
	Not standardised	Police and special units for women and children		
Violence	Violence, abuse and exploitation of children – pilot database in six provinces		Integrated Service Centres under MoWECP	
Categories of "social dysfunctions" not disaggregated by age groups	Victims of violence	No disaggregation by age groups (children not visible)	KEMENSOS	
	Women who are economically at risk		KEMENSOS	
	Disabled people		KEMENSOS	
	Commercial sex workers / prostitutes		KEMENSOS	
	Beggars		KEMENSOS	
	Homeless People		KEMENSOS	
	Drug addicted people		KEMENSOS	
	Poor or jobless people		KEMENSOS	
	Those who live in sub-standard housing		KEMENSOS	
	Families who have psychological or social problems		KEMENSOS	
	Communities of remote cultures		KEMENSOS	
	Victims of natural disasters		KEMENSOS	
	Victims of social disasters		KEMENSOS	
	People with HIV/AIDS		KEMENSOS	
	Risky families		KEMENSOS	
	Abandoned migrant workers		KEMENSOS	
Household Profiles	H/h members demographics	Gender, age, marital status, deaths during past year	BPS	
	H/h health, education, employment	Health problems disrupting school/work; Access to treatment; school participation, literacy; work activities by types	BPS	
	Family planning	Age of first marriage	BPS	
	Economic security	Type of housing; incomes	BPS	

Completeness: Scope

While most risks are broadly covered, the depth is insufficient for some of the major vulnerabilities. Table 3 also gives an indication on the types of child protection concerns which are currently covered by the key statistical databases. It shows that while most major risks are included in principle, some of them are not reflected with any depth necessary for meaningful policy analysis. Some of the most visible gaps include children in alternative care, whose profiles and fortunes are described in extremely broad terms, children in emergencies which are essentially invisible in broader surveys, and children with disabilities and HIV/AIDS. Another major gap includes issues related to statelessness, migration and internal displacement of population, as current databases do not seem to include any specific statistics covering children affected by these risks. In addition, existing statistics offers almost no support to policies on ethnic discrimination given that most child protection data is not disaggregated by respective variables.

Completeness: Coverage

An ideal information system for child protection should cover risk factors, prevalence of cases, coverage of services and evidence on achieved results. A system of child protection data needed for strategic policy design and implementation needs to cover information related to the entire spectrum of risks: starting from evidence on root causes of child protection problems (prevalence of risk factors), including data on prevalence of violations, scope of interventions and characteristics of children who receive protection, as well as data on evaluation of particular policies and interventions.

Unfortunately, Indonesia's child protection MIS is strongly biased towards data collected through case management. The 2010 study by UNICEF et al. illustrated that most information collected on child protection in Indonesia describes children who are going through some kinds of protective services.

- Various agencies involved in provision and oversight of such services regularly collect case data; moreover, case management information is being constantly improved with new databases developed and new types of templates piloted in some provinces.

- At the same time, there is very limited amount of data which describe prevalence of cases and thereby the magnitude of child protection problems in the society. Some prevalence data is present in the KEMENSOS databases on "social dysfunctionalities" however, the coverage and quality of this data is questionable. The 2010 study notes several initiatives to develop new prevalence surveys, which rightly focus on a stronger role for the BPS.

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- The 2010 study concludes that there is currently no systematic effort whatsoever to collect data on child protection risk factors, which is a strong barrier to developing preventive measures. The study recommends stronger utilisation of some existing datasets, such as the information on conditional cash transfers, to extract and systematise risk factors.

- Evaluation data is systemically missing from current databases, and most stakeholders on the ground do not clearly understand and appreciate this concept as such (often confusing it with financial oversight or peer discussions).

Consistency and Validity of Data

Key data collected through case management is highly questionable. The key type of data in Indonesia's child protection system is collected through case management and is described as highly unreliable. Data collection at the level of service providers is not a standardised process with highly inconsistent, often vague, definitions, as was described earlier.

Many providers also relay on volunteers to enter statistics into templates and databases, and do not provide either training or quality checks for these activities. Police and special units for women and children do not systemically use standardised processes for record taking, and the quality of case statistics they collect depends on the depth of investigation of each particular case. Data collected by MoWECP integrated service centres as well as by the KPAI may sometimes be better but it entirely depends on the nature of respective pilot projects and is therefore not a systemic feature at the moment *(UNICEF; Universitas Indonesia; Columbia University Mailman School of Public Health, 2010).*

> *"Quality of data depends on the expertise of those who collect it. For example, data on violence against children: it is collected by ordinary people, without proper training." (FGD member)*

The limited prevalence data collected by KEMENSOS is also of questionable quality. As with case management, data validity is jeopardised by the weak skills of staff in charge of data collection and monitoring, as well as by the poor definitions of key concepts. 2010 UNICEF et al. study found that variation in skills and training of KEMENSOS data collectors is especially dramatic at the village level.

> *"I am working in a centre for analysis of the children, so we are doing a lot of research and constantly working with data. The problem is that this data comes from Government ministries and therefore never consistent. I want to tell a story. I was doing research on special schools in Indonesia for children with special needs. I downloaded data from the website of the Ministry of Education and Culture, and in one table the number of special schools is 1500. But then in the same table they disaggregate this number by types of disabilities (blind, deaf, mental) and the total is much bigger than 1500. I became confused, so I made another search for more data on other years. And when I compare number of schools in 2010 and*

in 2006, I see that in 2006 the number of such schools was much higher. This is quite strange, because it implies a decrease, but actually we know that the number of these schools was growing. And the question is, was this data ever checked, verified? But there is no explanation anywhere." (FGD member)

Quality of data collected by the BPS is much higher, but not always relevant. However, given that child protection variables are not directly covered by many of the current surveys, much of the relevant information remains either irrelevant or not properly analysed.

"We observe that ministerial data cannot be trusted in comparison to BPS. The BPS data is valid and reliable, because it has high mandate. But Ministerial data is not reliable and it cannot be used even by the ministries themselves, because it's useless. And this is why data is not used generally, because when policy makers don't trust numbers they will not use statistics." (FGD member)

INDICATOR 4.3.
RESPONSIVENESS TO CHANGING POLICY DEMANDS

Data collection systems have the following degrees of flexibility:	B (2.25)
· Legislative framework allow policy makers to request additional data collection where necessary for policy purposes and operational procedures are set up to enable such requests;	Yes (1)
· Procedures are set up to enable data producers to respond to changing data requests (flexible budget allocations, authority to update data collection plans);	Yes (1)
· New information follows clear structures and standards, and modification resulting from new policy demands do not jeopardise data quality;	No, extended (0.25)
· Effective collection of information on children at risk for the purposes of collaboration between public and/or external agencies in emergency contexts.	No (0)

Opportunities for New Data Requests

Collection of data to support implementation of Government policies in Indonesia is based on Law on Statistics (No. 16 / 1997). First, this law states that Government agencies have authority to collect statistics relevant to their sectors and functions. Secondly, the law states that when the data needed to support sector policies requires running a national survey or should be generally representative at national

scale, the agencies should co-operate with the Bureau of Statistics (BPS). Thirdly, the law gave permission to collect statistics to the non-state actors on the condition that a synopsis of collected data would be provided to the BPS *(UNICEF; Universitas Indonesia; Columbia University Mailman School of Public Health, 2010).*

The framework Law on Statistics thereby gives all actors in child protection a significant range of opportunities to initiate new data requests. Leading data collection initiatives in respective sectors is a direct responsibility of line ministries. Whenever BPS support is required, the Law is also supportive of such requests. This was also confirmed at the FGDs, where BPS representatives listed their legal obligations towards line ministries and acknowledged that even where resources are scarce, they still see such co-operation as mandatory in the long-term.

Opportunities for Quick Responses

Flexibility in collection and processing of data by the BPS (mostly prevalence data) is limited, but still substantial.

Some surveys conducted by the BPS are more rigid than others; e.g. the structure of the annual survey seems to be fixed and is essentially not changeable. At the same time, other cyclical surveys – such as the 3-yearly socio-economic survey – could be extended by adding new modules and variables. This was noted by the UNICEF et al. assessment in 2010 (which strongly recommended creating a child protection module) and also confirmed by the FGDs. BPS representatives during this assessment repeatedly highlighted that all possibilities exist for adding child protection components to the regular surveys, and regretted that no active demand for such extension is still palpable within the line ministries. As discussed in other section, this seems to be linked to lack of a clear lead actor with sufficient authority in this area.

Administrative data collected by line ministries also has a relatively flexible structure, especially at the local level.

The only relatively rigid set of requirements is the list of social dysfunctions tracked by the Ministry of Social Affairs. This list is set at the national level, agreed with the Bappenas and is not easy to change. But even this list could be taken with discretion at the provincial level, where local Dinsos "can omit few variables which they do not find relevant" *(UNICEF; Universitas Indonesia; Columbia University Mailman School of Public Health, 2010).* Data collected by other line ministries is even less fixed. Data collected by the Justice sector including the Police follows internal procedures which seem to allow adding and changing variables and formats. The Ministry of Women Empowerment and Child Protection was found to be highly flexible in modifying data collection formats especially within its pilot projects. The KPAI also uses a highly variable approach to its data collection, including frequent inclusion of issues outside child protection.

Modifications Do Not Jeopardise Quality

Observers agree that, in fact, data collection by many actors is at the moment too flexible, which is a risk to quality. Most data collected on child protection at the moment deals with case management and, as was discussed in other sections, it is mostly collected through poorly standardised procedures managed by diverse sub-national authorities. Data collection and processing does not even have a unified set of definitions, which gives agencies dealing with child protection excessive leeway in terms of what data they record, how they represent it and what data sharing protocols they use. While, theoretically, it opens infinite opportunities to incorporate diverse risks and information needs, it also makes the new information useless given that it cannot be meaningfully processed and consolidated.

Modifications at the level of BPS cyclical surveys are less frequent and more reliable. The new modules could be added to the BPS surveys at least once in three years, which provides sufficient time for designing proper methodologies and data processing standards. During the focus groups, the BPS invited stakeholders to voice their ideas for child protection variables for a survey which would not happen until 2015.

Data Collection in Emergency Contexts

Maintaining data systems for the purposes of effective child protection in emergency context is a significant weakness in Indonesia. First, as was discussed earlier, specific issues of children in emergencies are almost invisible in the broad national surveys undertaken by the BPS at the moment. Secondly, the data collected by KEMENSOS on the victims of natural and social disasters was described by the 2010 mapping as very general and not sufficiently disaggregated to enable child protection responses. Moreover, it is not clear what data processing and sharing protocols are in place to effectively consolidate needed statistics in cases of disasters for the purposes of organising collaboration with other agencies and external support sources.

INDICATOR 4.4.
DATA CONSOLIDATION AND EXCHANGE

Management of data related to CP is characterised by the following:	C (1.25)
· Collection and exchange of data relevant to CP iscoordinated across agencies at the national level sufficiently to enable analysis and policy-making for CP;	No, extended (0)
· Reliable and consistent mechanisms are in place to channel sub-national data to the central level;	No, extended (0.25)
· Tasks and responsibilities of actors involved in data collection and management are clearly specified;	No (0)
· Time intervals between child protection events/ trends and their identification and reflection in databases are relatively low.	Yes (1)

Coordination across agencies

National Level

Data management for child protection in Indonesia is fragmented across several agencies without one lead actor at the national level. The 2010 UNICEF et al. study usefully mapped the key players in Indonesia's child protection data management system, as described below:

- Ministry of Planning (Bappenas) coordinates ministerial inputs into planning and evaluation. This means that while Bappenas does not directly generate any data, it can strongly affect the type of data collected by other agencies and the way these data is exchange. Bappenas also influences budget allocations to other major partners in the child protection MIS (BPS, KEMENSOS, MoWECP).

- Primary data on case management is generated by direct service providers under several agencies, mostly the special police units for women and children and through the integrated service units, coordinated by the MoWECP.

- Additionally, data related to child protection is collected via the Ministry of Social Affairs (KEMENSOS), which provides very few services directly but is responsible for policy oversight in social welfare areas;

- Finally, an important role belongs to Indonesia's Bureau of Statistics (Badan Pusat Statistik, BPS) which is the key agency responsible for generation of statistical support to the Government and which runs a range of surveys with relevance to child protection;

- Some secondary data is also collected and coordinated by the Commission for the Protection of Indonesian Children (KPAI) within its watchdog initiatives.

The 2010 study described this setup as suffering from clear leadership at the national level. The agencies involved in child protection policies are mostly narrowly focused on their programmatic objectives and do not systemically engage in either exchange of data or comprehensive dialogue on ways to streamline and coordinate their approaches to data collection and storage. UNICEF et al. note that as of 2010, "there was no agreed upon data collection priorities, procedures or methods or shared data collection system; rather each ministry gathered data relevant to its own policies and priorities". Some pilot-based projects for data sharing apparently have been launched but not yet finished or rolled over.

> *"We have a problem with sources of data on child protection… The demographic data on children is from the BPS; the prevalence data is from the ministry. And the ministry on child protection have data related to various child protection programs, but they only cover reported cases by these various programs. And there is no coordination between all these agencies on the data issues, so how could it be analysed?" (FGD member)*

Episodes of coordination in data management at the national level seem to be equally related to the needs of specific inter-agency projects. For example, 2010 study by UNICEF et al. describes co-operation between several line ministries (Education, Health) and Bappenas around implementation of the conditional cash transfer program. Some coordination was also noted between BPS and KEMENSOS. However, these episodes are not systemic and are not linked to any whole-of-government initiative for data streamlining in the child protection area.

A meta-database coordinated by the BPS is a new initiative to consolidate various sources of data collection. One recent initiative coordinated through the BPS is a "metadata" portal on the BPS website, which is meant to consolidate and disseminate information on the availability of various data across the Government. Within this initiative, all agencies are supposed to inform the BPS on the types of data these agencies collect, so that the BPS would then update respective fields in the meta-database. Parts of the meta-database are open to general public while other parts are by registration. It is not yet clear whether this meta-database is complete and how actively it is used.

> *"One other thing BPS is doing is helping the Government to coordinate data. On our website, there is a section called "metadata" – which is data about data. If you want to share your data across departments, you can use our system. You can flag that you have this dataset, and then your friends in other ministries will see and say "Oh, there is this data which exists there!" and see the contact person. And for this to work, every minister has to send regular updates on their statistical efforts to the BPS. The benefit is that we will avoid duplication, avoid useless collection of same data here and there". (FGD member)*

Sub-National Level

At sub-national level, agencies occasionally co-operate in so far as they are involved in the incipient models of integrated service delivery. Within coordination referral schemes in some of the provinces and districts, agencies involved in the joint service also tend to share information related to respective cases. These episodes are described as successful, usually include practical tools such as joint databases. However, the practice remains highly episodic and uneven across country. According to UNICEF et al. the number of agencies involved in such coordinated referral set-ups varies greatly across districts, and their protocols for cooperation is usually highly informal. As a result, there is no standardised approach to recoding key data and much of it is lost or has questionable quality.

Consolidation of Sub-National Data at The Central Level

Success in vertical consolidation of data strongly depends on the nature of decentralised power structures in individual agencies and is highly variable. Given that various government functions involved in child protection went through a different degree of decentralisation, relations between central and sub-national partners in respective agencies differ and so do their approaches in consolidating the data. Initiatives which retained a more centralised governance structure exhibit relatively more coherent models for vertical data integration. An example of this is data collection for the conditional cash transfer program, which is strongly coordinated through Bappenas with a considerable role of the BPS in the collection and analysis of data. On the other hand, more decentralised initiatives such as integrated service delivery face much bigger difficulties in generating vertically coherent data flows. Despite formal requirements for regular reporting to the central level counterparts, lack of clarity on templates and lack of lead agency by any line ministry makes such reporting ad hoc. Moreover, since reporting is usually responsive to individual requests from various line ministries, key detail is often lost and only aggregated totals survive all their way to the national level.

- **KEMENSOS** is represented at sub-national level through its local offices *(Dinas Social)* which work at provincial and district level. Dinsos are not represented at the sub-district level as such but involve community volunteers in undertaking initiatives in the villages. Some Dinsos provide direct services to population (sometimes through the village volunteers), generating respective case management data. They are also involved in administration of the CCT, which generates important prevalence data. However, KEMENSOS and Dinas do not generate this data directly, but cooperate for this purpose with the BPS which helps to identify and categorise eligible households through a respective annual survey. All information going through KEMENSOS is aggregated within its nation-wide Social Welfare Data and Information Centre *(Pusdatin)*. Data entries by the village volunteers is often low quality, but KEMENSOS constantly works on developing Pusdatin trainings to standardise itse templates.

- **BPS** works through a network of sub-national statistics offices, which receive strong guidance, capacity building and technical support from the center. All data is consolidated and analysed at the headquarters.

- **Sub-national offices of the Women and Child Protection (Biro PP)** coordinate collection of case management data and their aggregation for national level analysis. This includes services provided by the Integrated service centres (PPTs), which are a joint project of the Ministry of Women Empowerment, Ministry of Health, Ministry of Social Protection and National Police. However, Biro PP offices are supposed to also cover services provided by other government agencies and NGOs. Regular reports on child protection cases must be compiled and submitted to the national ministry. In reality, UNICEF et al. concluded that despite the clarity of the mandate, coordination between national and subnational offices of this ministry need much improvement and the quality of the consolidated data bases is questionable.

- **Police Special Units for Women and Children** are reported to have strong internal coordination, but found difficult to share information with other agencies because of confidentiality concerns. The Police units employ internal computer systems to record case data which is accurately shared through vertical channels. However, given the sensitivity of child protection data, horizontal sharing of this information has been highly problematic.

Specification of Tasks and Responsibilities

Division of tasks across stakeholders at national and subnational level for child protection data management suffers from a range of weaknesses:

- The biggest gap in the definition of responsibilities for data management in child protection in Indonesia is the lack of lead agency which could orchestrate a coherent approach in this area. The 2010 study by the UNICEF et al. showed that there was no clarity among various partners who should perform such leading role, even though formally speaking it belongs to the KPAI.

- Moreover, division of roles across agencies seems to be filled with misunderstandings. The 2010 study showed that many actors involved in this process explained their roles in a different way than was presumed by their counterparts.

- Formal mandates described in the regulations lack practical guidelines and are poorly implemented.

- A considerable weakness is lack of clarity at the subnational level on the lines of reporting for submitting key data.

- While some partners have joint agreements for data sharing, these are usually linked to joint implementation of particular programs, such as the conditional cash transfer.

Timeliness of Data Management

Within individual agencies involved in data management, speed of reaction is on average rather high and regularity of reporting is strong. Timeliness of data management was specifically analysed by the 2010 Study. The analysis looked in particular at the amount of time it takes policy makers to register key trends and outcomes in child protection, as well as the speed of reaction by different stakeholders to the various events which occur in their respective child protection areas.

- **KEMENSOS.** Data collection by KEMENSOS has a regular annual cycle. However, on-going work on further development of the Pusdatin database are expected to ensure more frequent updates.

- **BPS.** All surveys by the BPS follow a strict regular pattern, including regular surveys, publications and disseminations of the findings. This includes a population Census conducted every ten years, and population surveys – some undertaken annually and other undertaken every three years. In particular, annual surveys include the National Socio-Economic Survey with some information on children health and education. The 3-year cycle surveys have modules related to "Income and expenditure"; "Welfare, Socio-Culture, Criminality and Tourism", and "Health, Nutrition, Education, Cost and Home Environment". Importantly, modules within these surveys could be specifically requested by line ministries, for example the 2006 survey had a module on domestic violence and abuse. According to the UNICEF study, a specific child labour survey was also expected to be run in 2009.

- **MoWECP.** Reports from local offices are collected every six months. While the quality of these reports may be questionable, UNICEF et al. concluded that data is compiled and transmitted in timely fashion.

- **KPAI.** The KPAI serves primarily as an advocacy and watchdog organisation, and its data collection efforts are always linked to particular issues which it takes for exploration. This is usually done relatively quickly, not least because the organisation works exclusively at the national level and has a relatively straightforward structure and data gathering approach.

- **Police.** Data recording in the police units is done manually and the timeliness of this process significantly depends on the available staffing and resources. In average, the response time is characterised as moderate to good.

INDICATOR 4.5.
LINKAGES BETWEEN DATA PRODUCERS AND DATA USERS

"Fitness to use" of the collected data on CP, including the following quality components:	B (2.5)
· Ability of key data users to easily ascertain existence of information and access it via a sustainable medium.	Yes, restricted (0.75)
· Explicit reference to documentation on data quality and methodology in all released data;	Yes, restricted (0.75)
· Regular meetings with key users and producers of statistics and working in partnership with them	Yes, restricted (0.75)
· Regular methodological updates to increase relevance and timeliness of released information to incorporate feedback from data users.	No, extended (0.25)

Access to Data

Data produced by the BPS are available in electronic and hard copies. Some very basic totals are available for free and open access at the BPS website[35] . Additional datasets could be requested (in paper and electronic versions) through the BPS service centre, which includes a book store and a public library. A lot of such access to additional data is fee-based. According to 2010 UNICEF et al. study, BPS is generally willing to disclose data and cooperate around data requests. Some topics could be less open to wider access given sensitivity issues (e.g. those related to domestic violence or child labour).

> *"Our statistical service is a specific structure which you can use any time, and for the ministries it is a formal service to use which is free – yes, I need to highlight that it is totally free for the ministries." (FGD member)*

Administrative data generated by the line ministries seems much less open. UNICEF et al. report that, in particular, KEMENSOS is rather hesitant to share information, which may be also explained by its sensitivity. However, at least some of the ministries seem to be unable to share enough of their data for the reason that the data is not stored in a coherent, presentable and easily communicable format.

> *"We also really need better access to data between departments. Between those departments which produce the data and those which need it for their work. Maybe some sharing system exists, because there are already special statistical units, but we don't know that it exists and what is this mechanism. There is a problem with communication, it doesn't happen, communication to share data doesn't really go well." (FGD member)*

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[35] http://www.bps.go.id/

"Actually, there is a lot of administrative data in the ministries, but it is very dispersed, it was never prepared and properly managed. They don't compile data to respond to questions, they just calculate totals. If you ask, how many men and women, it is already a difficult question for them. And if only you go into detail, you will confuse them, because they don't know how to find these answers". (FGD member)

Transparent Methodologies

Methodological background for the BPS data is detailed and consistent. Reports published by the BPS contain specific methodological sections with comprehensive description of data sources, sample design, quality control, key concepts and calculation methods, as well as other technical detail. These explanations are visible in the reports posted at the BPS website and confirmed by the UNICEF et al. study.

In addition, BPS is reported to be very open to requests for additional analysis. UNICEF also reports that BPS data sets were shared with the World Bank, universities and research institutions by request. Some of these could be requested for free, other additional tabulations could be produced at a fee.

"If you need data, please do come to us in BPS. Just please don't do it at short notice so that we have opportunity to prepare it. If only we have this data, we will give it to you. If we don't have, we will honestly tell you that we don't". (BPS Staff)

BPS insists that it is very willing to provide data to line ministries, but that their demand has been so far rather weak and passively expressed. At the interviews and FGD for this assessment, BPS specifically and repeatedly invited any government counterparts to request data needed for their child protection work. The BPS representative confirmed that not only their organisation could generate the needed data and analysis from the existing sets, but additional questions related to child protection are very much needed for the new survey modules. At the same time, so far there has not been many requests of this kind from the ministries.

"At BPS, we will do all we can to help you use the data. But if you don't use it, then we should just wrap some surveys up. Because we are so tired! We spend a lot of coffee, gallons of coffee, and then you don't use the data which we collect, oh!... Please, you criticise us, tell us if some definitions are not clear or should be changed. But at least we will know that you need and use this data. But if not, and there is no comment from you, oh, we could have as well just deleted these numbers! So, when we have our meetings, please come to us with your wish-lists, your basket of needs. And then after we provide what we have, it will be also fair for us to ask whether you are actually using the data!" (BPS Staff)

In contrast, data provided by other producers, in particular the administrative data collected through line ministries, does not seem to be complemented with sufficient methodological explanation. This was cited as a problem by the FGD group members, who complained that what is lacking in their work is clear understanding of how the various methodologies differ among data producers. Given that similar child protection data could be found in various sources, policy makers are often uncertain which source is more appropriate and what would be the associated errors.

"For us as data users it is important to have more information about sources of child protection data. Meaning to say, if we have two data sets describing the same thing but originating from two different sources, we are often not sure which one would be more suitable for our analysis. For example the birth rate, you can take this data from different ministries. But if we knew the methodology, we would have seen that the most appropriate calculation for us is in the health ministry. It has to be very clear". (FGD member)

Meetings of Data Users and Producers

Communication between the BPS and its data users seems to be regular and consistent. According to UNICEF et al., the BPS conducts regular seminars with data users where survey results are shared and discussed. During the FGD and individual interviews, all stakeholders also confirmed that BPS is open to individual and institutional co-operation, meetings and capacity building to improve data collection and analysis.

BPS believes that its support to line ministries could be even stronger if they expressed more active demand. The view of the BPS is that it has a legal liability to other agencies in helping them to improve their understanding of data. At the moment, such capacity building is not always very active. One possible reason is lack of resources within the BPS. However, another suggestion is lack of demand for training on behalf of the ministries.

"In BPS we dream that one day we can not only provide the data to you but also supervise how you use and interpret it; this is how law envisions it – that BPS also has to provide statistical education to other agencies… We are not at that stage yet. We want to help, want to explain how to use the data, chose the right methodology, how to make tabulations, presentations. But at the moment we don't yet have enough hands, we don't have capacities to reach out for you with such specific education. However, one reason that this is not happening could be because we don't have any requests! No one tells us: "I want to understand, I want to study about statistics!". And so, there is no response". (BPS Staff)

Methodological Updates

Incorporation of user-feedback into BPS methodologies is often weak given the lack of coordinated demand from child protection actors. BPS actively co-operates with National Police and KEMENSOS to incorporate child protection issues into current surveys. In particular, additional modules with child-specific questions were developed for the 3-yearly survey. Co-operation with other line ministries to update child-related methodologies is less active. In the view of BPS, this is because child protection sector lacks a clear institutional leader with sufficient authority to request such co-operation, and lack of active demand on behalf of line ministries to jointly work on methodological updates.

INDICATOR 4.6.
LINKS TO NATIONAL RESEARCH AGENDA FOR CHILD PROTECTION

· Collection and processing of child protection data engages non-state actors through the following arrangements:	C (1.75)
There is a national research agenda on child protection issues which identifies priorities for improving data on child protection problems and key risk factors;	No, extended (0.25)
Mechanisms are established for regular provision of research and evidence based analysis to key decision makers in Child Protection	Yes (1)
There is a mechanism for research institutions to share with the government key source data for their research (in addition to the analytical materials) to ensure better research quality and joint effort in developing child protection evidence base;	No, extended (0.25)
The Government helps research institutions to access key child protection data to facilitate their analysis.	No, extended (0.25)

Clear national research agenda for Child Protection

Lack of lead Government actor in child protection makes it difficult to define joint research and data collection priorities. The 2010 UNICEF et al. study stated that generally such joint agenda is lacking. Just as the government counterparts, most non-state actors (NGOs, international aid projects and organisations) seem to be collecting data narrowly for the purposes of their individual projects, or in support of government policies for which they co-operate. The assessment stated that despite the presence of diverse actors in the field, there is no clear mechanism for their collaboration. "Information is shared on ad-hoc basis, oftentimes associated with program achievements, project monitoring, or advocacy purposes".

At the same time, organisations working on child protection research often remain in good working relations and know each other informally. Both, at the national and local level, think tanks know at least those who work on similar protection issues, engage in informal discussions, and share information when needed (including on particular cases or research opportunities). However, this communication is not systemic, not based on formal partnerships, and not orchestrated by the Government or any other actor.

One promising initiative is Indonesia Children in Crisis Network currently developed by the Bappenas, KEMENSOS (Ministry of Social Welfare) and the UNICEF[36]. The Network was established in 2008 and functions as a thinktank (Center) whose mission is to "build capacity of academics, practitioners and policy-makers to develop effective child protection programs and evidence-based policy". The focus of the network is on child protection in crisis settings, although it provides a forum for wider cooperation across various agencies. Particular activities to this end include:

- Research to support systems- and evidenced-based programming and policy development;

- Training to build the capacity of academic leaders, government officials and civil society practitioners; and

- Curriculum Support to design a skills-based concentration that prepares future generations of individuals dedicated to improving the well-being of children in Indonesia and beyond.

During the FGDs, Bappenas explained how the Network works especially to coordinate child protection researchers and to encourage them to share data:

> *"The important thing now is to set up a system to share research, to share different kind of data and analysis – quantitative, qualitative… As a Government, we do have some mechanism – an Indonesia Children concern network. We use it to share research on children, to organise discussions on findings. We also organise regular conferences about results in research on children, every two years. Also, once a year we invite all parties who have any resources on children, any research, reports, for a joint presentation. We propose them to collect data and information so that we have joint evidence base on children. This is part of information sharing. Because good policy needs to be evidence-based."* (FGD member)

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[36]   http://cpcnetwork.org/indonesia.php

Access of Government to Key Research Findings

There seem to be several channels for the Government to access the results of current research:

- One channel is through the multiplicity of forums, conferences and discussions organised around protection issues and projects. Although these forums seem to be often narrowly based, they also seem open and effective in sharing data.

- The second important channel is the possibility to engage external experts into production of academic background papers which have become a mandatory element of Indonesia's legislative process.

Access of Government to Key Research Source Data

It is much less clear whether sharing source data for key research is an equally established practice in Indonesia. As was discussed in earlier section, one particular weakness of many academic papers produced for the Government by the independent and arm-length research institutions is lack of systemic requirement for open publication of their texts, let alone source data used for the analysis. This assessment also failed to find data sets collected through the efforts of research institutions in open access on any organisation's website. At the same time, given the generally good collaboration between the government and research institutions within individual projects, it could be assumed that some such data could be requested by the Governments if interest emerges. However, the practice does not seem to be systemic.

Access of Research Institutions to Government's Data

Child protection think tanks in Indonesia complain that access to existing data sets collected by the Government is very problematic. Even though the Government is one of the core consumers of child protection research, it does not seem to be actively sharing data.

- The biggest bottlenecks are found in the line ministries and in the access to administrative data. Essentially, there seems to be no mechanism for systemic communication of such data, and those sets which are available online or through requests are not easily digestible and sometimes almost impossible to use.

- The BPS data is of much better quality and available at request. However, many NGOs find the price of these data very high and beyond their budgets.

"I am from a centre of analysis of the children, and we doing a lot with the research, we are always working with the data. For us, a big problem is access and transparency of Government data. For example from our latest research, data on children with disabilities are very – I mean very very – difficult to find. I had to compile the data sets myself, from various sources, calculate some totals myself, in order to come up with data on children with disabilities. I found two major difficulties: consistency of data and transparency of data. The data which we need, we really cannot access easily."

"Our problem is data accessibility... we see that data exists, it is very extensive, but we have to buy it from BPS, and it is very expensive. Not everybody can buy! So, we would really like more openness and transparency." (FGD member)

INDICATOR 5.1.
QUALITY GUIDANCE AND STANDARDS

Regulatory framework for child protection includes the following:	C (1.25)
an entity within Government which oversees organisations working in child protection and the quality of their services, including non-state organisations;	No (0)
a nationally recognised set of essential standards and guidance for various levels of quality in social care services, ensuring their safety, effectiveness and responsiveness to the best interest of the children;	No, extended (0.25)
a mandatory procedure to license organisations that directly care for children (state and non-state);	Yes, restricted (0.75)
pre-accreditation testing of competence and experience.	No, extended (0.25)

Oversight Structure at The Central Level

Quality oversight is highly decentralised and poorly coordinated at the central level. As will be discussed in detail in this section, existing rules for registering, licensing and monitoring of the child protection service providers essentially delegate the entire responsibility for this function to the sub-national authorities. While the central ministries – the Ministry of Social Affairs and the Ministry of Women Empowerment and Child Protection – play an important role in designing the service standards and licensing rules, there are no explicit mechanisms for these bodies to oversee licensing and accreditation activities at the local level.

- **Key regulatory role lies with the local Social Affairs Offices.** Primary responsibility for overseeing the application of Child Care Standards lies with the local Social Affairs Offices in districts and municipalities. These authorities are supposed to "regularly monitor" whether service providers are complying with the standards and whether their services are still needed by the community. The Social Offices are also responsible for training and capacity building among the providers to better understand and comply with the standards.

- **Accreditation responsibilities are not clearly spelled out.** Accreditation is overseen by Accreditation Boards for social welfare organisations which "could be run by the government, local government or community based / civil society organisations". This formulation is very vague and it is not clear whether the accreditation practice throughout the country is effective, up to the national standards and overseen in a coordinated way.

- **The role of central ministries is limited.** Several central ministries are responsible for registration of the NGOs, such as the Ministry of Home Affiais, the Ministry of Foreign Affairs, and, importantly, the Ministry of Social Affairs which keeps track of NGOs providing social welfare services. But this registration function does not assume quality assurance (registration is not quality-conditional) and there seems to be no separate database of organisations working with children.

Service Quality Standards

There are several frameworks in Indonesia which attempt to establish service quality standards, some directly relating to child protection, but their impact is questionable. First, there are two sets of standards which cover any public services provided in the country – including in child protection. One such broad system – Minimum Service Standards (SPMs) – is in place to guarantee a basic minimum of social services across Indonesia's diverse localities. A separate set of such SPMs were developed for Child Protection. The other broad system – Public Service Delivery Standards (SPPs) – defines rules for engaging the public in quality management. However, on top of these broad standards, Indonesia also introduced specific National Standards of Alternative Care for Children, which is defined as a broad area and includes important child protection considerations. However, as discussed in further sections, it is not clear whether any of these standard systems have been successfully implemented or significantly impacted quality of service provision.

> *As for standards of services, including services for the expertise of the NGOs, as far as I know, it is still lacking… Usually the main motivation of the NGOs – such as orphan houses, medical clinics – is a religious purpose. They have resources, they have money, they want to help children, but the problem is that sometimes they have good intention but do not have enough skill. And they have their own standards, which is different from the government approach… And if their personnel doesn't understand about child protection, what is the child's right, they can even violate it – violate the right of the children at the end of the day. And nobody informs them, nobody assesses them, so they probably think they are doing the right thing! (FGD member)*

Minimum Service Standards (SPM) for Publicly Funded Services

Minimum Service Standards (SPM) were introduced by the central Government (MOHA) in order to equalise regional disparities in the provision of basic public services. The SPMs were meant to ensure that every local government delivers at least a minimum amount of services to their communities. MOHA introduced the concept in 2005 through a Ministerial Regulation[37] , and complemented it with technical guidelines and issued in 2007[38] .

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37 Regulation of the Ministry of Home Affairs No.65 of 2005 concerning Guidelines for Preparation and Implementation of Minimum Service Standards
38 Regulation of the Ministry of Home Affairs No. 6 of 2007 on Technical Guidelines for Preparation

SPMs themselves are developed by line ministries, but must be implemented by the local governments. The exact substance of the SPM for every sector, along with costing manuals, is to be developed by respective line ministries. Before the SPMs are approved by the line ministries, it is sent for discussion and revision to the Regional Autonomy Advisory Council (DPOD). Once the SPMs are approved, it becomes the responsibility of the local governments to deliver against these standards and to allocate appropriate funding in their budgets. Compliance is supervised by the provincial government. District and municipal governments must report to the provincial government annually on their progress in implementing these Standards and achieving against their indicators *(Fünfgeld, Lücking, & Platte, 2012).*

As of 2011, sector-level SPMs were developed by 15 line ministries including the following sectors of critical relevance to Child Protection *(see Table 3)*. As shown in Table 3, each line ministry developed SPMs for a certain amount of basic services, and supplied them with Indicators and Sub-Indicators of achievement, as well as target years *(Consortium for Disaster Education Indonesia, 2011).*

Child Protection SPMs do not address quality issues. The five SPMs and respective Indicators developed specifically for Child Protection are described in Table 4 and cover handing of complaints; health services; legal aid; social rehabilitation and reintegration. As this Table shows, the Standards for all of these services are formulated in terms of the percentage of vulnerable women and children covered by the service. The Standards therefore do not include any criteria which would reflect their quality.

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and Determination of Minimum Service Standards; Regulation of the Minister of Home Affairs No. 79 of 2007 on Guidelines for Planning achievement of the Minimum Service Standards.

Table 6.
Progress in Development of Minimum Service Standards (SPM) (DSF Indonesia, 2011)

Minimum Service Standard	Basic Services	Number of Indicators	Number of Indicators and Sub-Indicators	Target year
Public Housing	2	3	3	2025
Civil Record	3	6	6	2011
Social	4	14	14	2015
Health	4	18	23	2015
Women Empowerment and Child Protection	5	8	23	2014
Family Planning and Welfare Family	3	9	9	2014
Manpower	5	8	8	2016
Education	2	27	39	2014
Communication and Informatics	2	2	6	2014

Table 7.
Minimum Service Standards (SPM) in Women Empowerment and Child Protection(Ministry for Women Empowerement and Child Protection of The Republic of Indonesia, 2010)

No	Service type	Minimum service standards			
		Indicators	Value	Deadline	Responsible agency
1	Handling complaints / victim reports on violence against women and child	% of women and children victims of violence whose complaints were handled by trained personnel in the integrated service unit	100%	2015	District Office for Women Empowerment and Child Protection
2	Health services for women and child who are victims of violence	% of women and children victims of violence who received services by skilled and specifically trained professional in a hospital or health center	100% of target program	2015	District Health Office
3	Social rehabilitation of women and children who became victims of violence	% of social rehabilitation services provided by social workers trained in rehabilitation for women and children victims of violence in the integrated service unit.	75%	2015	Social Welfare Office
4	Enforcement and legal aid to women and child victims of violence	% of investigations taken forward all the way through a court decision for trials on cases of violence against women and children	80%	2015	· District Police · State Attorney · District Court
		% of women and children victims of violence who received legal aid services	50%	2015	District Office for Women Empowerment and Child Protection

No	Service type	Minimum service standards			
		Indicators	Value	Deadline	Responsible agency
5	Helping to return home and social reintegration for women and child victims violence	% of women and children victims of violence who were helped to return home	50%	2015	· District Office for Manpower and Transmigration · District Office for Women Empowerment and Child Protection
		% of women and children victims of violence who received services of social reintegration	100%	2015	· Social Service Office · Community NGOs

Existing papers looking into the SPMs conclude that their implementation has been highly problematic. Complexities and ambiguities in their design, lack of practical mechanisms to link SPMs to the budgets, and lack of clarity on the incentives and disincentives for their implementation make it difficult for the tool to impact either the funding allocation or the quality of the services (Dixon & Hakim, 2009) (Fünfgeld, Lücking, & Platte, 2012).

Health sector SPM are not sensitive to child protection issues. There is also some disjoint between the SPM formulated for the medical institutions by the Health Ministry and the child protection SPMs formulated by the MoWECP for Social Welfare authorities and Police. The MoWECP require all victims of abuse to receive medical support (Table 4), but the health sector SPMs do not have any specific elements which would be child protection sensitive.

> *"In our hospital, we don't differentiate women and children patients who were victims of violence, we treat them in same way as others, because we have the universal medical SPM standard (…)Services in the hospital finish when the patient recovers physically. We do have SPM standards, but we need something additional, some follow up. But these additional services do not have any standard and are not accredited." (FGD member)*

Public Service Standards (SPPs)

SPPs are a standard for developing standards. Public Service Standards *(Standard Pelayanan Publik / SPP)* were introduced in 2009 through a Law No. 25/2009 "On Public Service Delivery". The key idea of this Law was to change Indonesia's bureaucracy and to provide citizens with stronger leverage to influence public service provision. The role of the SPP was to provide a universal method on how service providers should engage citizens into ensuring quality and value of services. In other words, the SPPs is a standard procedure, rather than a standard for any particular service as such. In fact, the Law assumes that standards for various public services

should be developed by the respective service providers themselves, but in this exercise they should follow the SPP as a guideline for due process.

The SPP method is focused on transparency and public participation. This due process described by the SPP method includes some mandatory stages such as evaluation and public participation. In these steps, the service providers are required to ensure that the standards which they would develop comply with the principles of: 1) affordability; 2) clear determination of prices and procedures; 3) consultation with the public and key stakeholders; 4) accountability; and 5) continuity. However, as a result of this universally defined process, every individual service provider and even individual units within provider institutions could develop their own standards, procedures and even service costs *(Fünfgeld, Lücking, & Platte, 2012)*.

The SPP method was immediately criticised by the observers as fiscally irresponsible and difficult to implement. On the one hand, it introduced ways for the local communities to demand more expensive or more extensive services from the providers (including a complaints handling mechanism), as well as rather severe penalties for those providers who fail to comply with the standards (loss of managerial rank, financial sanctions). However, given that providers usually have fixed budgets and rather limited flexibility in using them, this new regulation was called in some papers as "absurd" *(Buehler, 2011)*.

While SPP increase public accountability, they do not promote universal quality standardisation at either national or local level. From the perspective of quality assurance, SPP open some possibilities for local accountability of service providers. However, they also essentially legalise arbitrary service setting by individual providers and do not instil any lines of vertical accountability for supervision by sector professionals.

National Standards of Care for Child Welfare Institutions

Alternative care standards are in place since 2011 but they do not seem to be mandatory. The Standards of services provided by child welfare organisations were introduced in 2011, following a recommendation by the CRC and based on research undertaken jointly with Save the Children. The standards are formulated in a Decree by the Ministry of Social Affairs *(Ministry of Social Affairs of the Republic of Indonesia, 2011)*. They do not seem mandatory but are recommended as guidelines for any organisations providing assistance to children and their families (directly or through alternative services), funded by any government tier, private sources or community funds, as well as for Social Affair authorities and offices.

The Standards cover services to a diverse range of vulnerable children, including those directly affected by CP violations. Alternative care is defined by the Standards is family-based or residential care provided outside of the child's immediate family or relatives. The categories of children to be covered by such services include:

- Children neglected or overlooked by their family;
- Children without family;
- Children who are victims of violence, abuse, neglect or exploitation (to ensure their safety and well-being, where familial care is evidently against their best interest);
- Children separated from their families due to disaster, social or natural.

The Standards include the following:

- Explicit description of key principles, including children's right to family, responsibility of the parents, prevention of family separation, continuum of care, support for families to care for their children, the role of the state, centrality of child needs, clarity of processes to decide on the types of care for children, continuity of child's education and socio-cultural life, and involvement of the children in decision making.
- Standards to determine the appropriate response for children;
- Standards for care services (including special standards for residential institutions); and
- Organisational standards for service providers (institutional structures, accreditation, facilities).

The standards are based on best international standards and fully cover child protection concerns related to provision of care to children. In particular, they highlight the child's right to protection, including from the use of corporal punishment, in any institutional setting. They also list requirements for protection of the child's dignity, special attention that needs to be given to age, gender and disability, and outlines particular mechanisms that need to be in place to ensure this (reporting lines; instructions; procedures).

> *"We have the SPM – minimum service standards, and we have Service Guidelines – like a protocol which must be applied to children. It is still in the process of making, but we can still use it for our daily work". (FGD member)*

This assessment found no evidence on the progress in practical implementation of these Standards. It is not clear whether there has been any comprehensive assessment of whether these Standards have been successfully enforced. No clear reference to their mandatory nature (which implies that they should only be used as guidance) and complete decentralisation of the enforcement function without any coordination from the national level makes practical implementation of these Standards challenging. Additionally, charities and donor-funded NGOs remain primarily motivated by the criteria imposed by their funding sources rather than national standards, and compliance with the latter seems to be low.

> *"If the NGO is funded by donors, the donor agency have their own conditions for those who apply for funding and their own criteria. The NGOs primarily try to follow these criteria and not national standard." (FGD member)*

Licensing and Accreditation of Service Providers

Licensing system is formally in place but has numerous gaps and limitations. Indonesian legislation requires mandatory registration of all NGOs with a separate database kept for organisations working in social welfare sector. However, registration is essentially unconditional and it is not clear whether a special register is kept of organisations working specifically with children. In addition to registration, there is a licensing requirement for all NGOs engaging in alternative care of children, with an opportunity of further accreditation to prove high standard of service.

The current framework does not seem to be applied consistently. The licencing process is limited to services in alternative care and there is no evidence of its effectiveness (given that it delegates the entire responsibility for the process to sub-national governments and does not spell out mechanisms of any central monitoring or oversight).Just a few years ago, Indonesia was reported to have around 8,000 institutions for children, hosting half a million of residents. According to Save the Children, nearly 99% of these institutions were privately run faith-based organisations which remained unregulated *(Save the Children, 2009).*

Registration of Non-Governmental Providers

Registration rules for NGOs are heavy and elaborate, but their effectiveness is questionable. Indonesian legislation lays out strict and complex rules for registration of national and foreign NGOs. All NGOs, especially foreign, need to go through registration with multiple authorities, central and local. Some of these rules are overlapping, and others might be limiting in terms of the approaches and the kind of services that could be provided. At the same time, despite these complex rules, the amount of unregistered and unmonitored NGOs seems to be large, as will be discussed below.

Indonesian NGOs seem to be subject of multiple and sometimes overlapping regulations. NGOs in Indonesia are often referred to with a term introduced by the now outdated Law No.8/1985 as "societal organisations" – "any organisations established by Indonesian citizens voluntarily on the basis of similarity of activity, profession, function, or religion (Article1 of the Law No.8/1985).*(Organisasi Kemasyarakatan,* or *"Ormas").* They are also often translated as "Mass Organizations". In July 2013, Indonesia introduced a new Law on Mass Organisations (No. 17/2013) which defined such organisations as "all organizations founded and formed by the society voluntarily on the basis of shared aspiration, will, needs, interest, activity and purposes in order to participate in the development with the intention to achieve the objective of the Unitary State of the Republic of Indonesia based on the Pancasila" (Article 1).". The legislation further divides NGOs into those which have legal status and those which don't. NGOs with legal status include associations and foundations. Most NGOs in the social sector in Indonesia are "foundations" and they seem to still be governed by national Law No. 16/2001 "On Foundations", amended in 2004 (by Law No. 28/2004), although some older regulations on same subject are still in effect and also apply.

All "societal organisations" need to register with local authorities and sometimes also with the national authorities:

- All Indonesian NGOs must register with the Regional Government Office of National Unity and Political Affairs. Notably, even societal organisations without legal status are also expected to register with the authorities at the respective level. NGOs working at the central level must register either with the MOHA (if they do not have legal status) or with the Ministry of Law and Human Rights (if they do).

- Foreign NGOs must also register with the Ministry of Home Affairs (regardless of the level of their activities) and comply with a set of specific additional requirements (such as special approval from Indonesian Government, having a representative office in Indonesia, a recommendation letter from home country embassy, etc).

- There do not seem to be any service-specific conditions for this registration, as long as there is no suspicion that such activities might "disrupt the stability and unity" of Indonesia and are in line with the principles of *Pancasila.*

- Indonesian law also allows sub-national governments to issue their own local regulations requiring additional types of registration with local authorities *(Ravi & Grabel, 2013).*

NGOs in social welfare sector need to additionally register with the Ministry of Social Affairs. Since 2009, all NGOs dealing with social welfare need to also register with the Ministry of Social Affairs (Law No.11 /2009). Additionally, foreign NGOs working in this area are required to receive special permits from the Ministry of Social Affairs as well as from the respective district authorities. Violations of these requirements lead to heavy sanctions (fines, revocation of permits, cessation of activities). It is not clear yet whether this new norm led to better progress in registering Indonesia's child care institutions; given that as of 2007 the Government recognised that it had no centralised licensing and registration system, and kept only a minimum amount of information about those organisations which received state funding(Ministry of Social Affairs of the Republic of Indonesia (DEPSOS), Save the Children, UNICEF, 2007).

The new Law "On Mass Organisations" added new controversial requirements, described by human right watchdogs as "onerous and repressive". Additionally, in July 2013, Indonesian Parliament has approved a new controversial Law "On Mass Organisations". In the words of the supporters of this law, its aim was "to empower local organisations and counter foreign intervention in the country in the form of non-governmental organisations." *(Johnson, 2013).* The law was heavily criticised for infringing human rights and freedoms, and strengthening government's grip over the civil society.

- It introduced new vague requirements which could be used by authorities to disband NGOswhich are seen as threat. The new restrictions included the requirement to comply with the *Pancasila* and bans on activities which may

"embrace, instigate, and propagate beliefs and religions conflicting with the *Pancasila*". The Law also requires NGOs to "promote state ideals"; "maintain religious, cultural and moral values", and "preserve peace and public order". In the view of some experts, this new rule directly endangers organisations adhering to social-democratic philosophies, which may be interpreted by some officials as contradicting some provisions of the Pancasila.

- The Law introduced several additional requirement for foreign NGOs, including the need to register with Indonesia's Foreign Ministry and State Intelligence Agency.

- Under the new law, all NGOs in country would be regularly screened, apart from the two largest Islamic organisations, *Muhammadiyah* and *Nahdlatul Ulama.*

- Experts agreed that the new Law on Mass Organisations (Law No.17/2013) overlapped with some of the previously enacted regulations on civil society *(Johnson, 2013).*

The Government acknowledges that so far the rules were not capable to effectively engage NGOs into transparent and productive cooperation. While complicated registration rules have been around for many years in Indonesia, they seem to not achieve practical results. During the debates for the introduction of the new Law "On Mass Organisations", one of the proponents of the Law, Home Affairs Minister *Gamawan Fauzi* noted that even though thousands of orgnisations have so far registered with various authorities, many more remain unregistered and unmonitored, and calling for better management "so that they can positively contribute to the country" *(Johnson, 2013).*

Licensing and Accreditation of Child Welfare Institutions

Licencing and accreditation rules exist for providers of alternative care. There is a formal licensing process, covering one type of service providers: organisations engaged in alternative child care, including residential institutions. These rules are mandatory for all types of organisations: non-for-profit, private or publicly-owned and publicly-funded. All organisations providing welfare services must obtain written permits to operate and may additionally apply for accreditation to prove exceptionally high standard of achievement.

The current system was introduced during 2009-2011 through a range of regulations by the Ministry of Social Affairs. Indonesia runs a clear mechanism for licensing and accreditation of any institutions providing welfare services to children and their familie*s (Ministry of Social Affairs of the Republic of Indonesia, 2011)*. The system has been in place at least since 2011, although the legislative rules seem to have been in place much earlier (accreditation requirements are spelled out in the Law No.11 and the Regulation of the Minister of Social Affairs No. 107/HUK/2009 on the Accreditation of Organisations in the Social Welfare Field, and the Circular of

the Director General of Rehabilitation and Social Services, Ministry of Social Affairs on the registration system for Child Welfare Institutions issued in August 2008, and Accreditation Guidelines for Social Care Institutions issued in 2004 *(Ministry of Social Affairs of the Republic of Indonesia (DEPSOS), Save the Children, UNICEF, 2007).*

Rules for obtaining permits are the following:

- Any organisation wishing to provide care to children (regardless of the source of funding and type of ownership) must first receive a permit from the local Office of Social Affairs / Social Authorities and an agreement from the community.

- Every year after the permit is obtained, the organisation should provide an update on the numbers of beneficiaries and the types of services provided (the data is supposed to be entered into the National Database of children in alternative care).

- Written permits issued by the local Social Office must be updated every five years.

- Any organisation must obtain its own permit, separate of any parent organisation.

It is not clear to what extent the rules are followed and what is the mechanism for oversight for local governments to comply. The rules place the entire responsibility for licensing on local governments, and it is not clear how the child protection stakeholders at the central level are ensuring compliance with these rules, as well as whether the rules have been effective.

Accreditation rules provide a set of additional possibilities:

- Organisations which can demonstrate high level of achievement can apply for accreditation to the Accreditation Board for Social Welfare organisations.

- Accreditation Boards for social welfare organisations could be "run by the government, local government or community based / civil society organisations". It is not clear what is the current mix of accreditation boards across Indonesia and how effective is their work.

- Accreditation procedures are described in the Regulation by the Ministry of Social Affairs No. 107/HUK/2009 on the Accreditation of Organisation in the Social Welfare Field (Chapter III, Articles 4 and 5).

- Accredited organisations must be legal entities providing social services and formally registered with the Ministry of Social Affairs.

- Accreditation is given to those organisations which demonstrate compliance with a set of minimum standards of service. However, these minimum standards seem to be a different set from the SPM. Accreditation standards are listed in the Regulation on Accreditation and include: (1) a set of requirements to the organisation's administrative systems such as having clear institutional

objectives, management structural, professional social worker staff, funding and facilities; (2) service provision standards outlined in the Ministerial Decree No. 30/HUK/2011, (3) achievement of service outcomes such as appropriate targeting of beneficiaries; number of beneficiaries; quality of services, and achievement of "service aims". It is unclear whether these outcome indicators are complemented with measurable targets.

In reality, 2011 Standards do not seem to be applied to other organisations apart from alternative care institutions (such as the crisis centres). Although the 2011 Standards are formulated flexibly to be applicable to any organisation engaged in provision of social welfare services to children, in reality it is only applied to alternative care institutions and does not cover, for example, temporary shelters or crisis centres. Members of the FGD at the central level explained that these other agencies currently function without any formal certification or accreditation, although academic papers are in development to certify them too.

Pre-Accreditation Tests

The system for licensing and registration described above assumes a rather broad process for checking appropriate qualifications:

- **Registration:** Registration with appropriate authorities is essentially unconditional as long as the applying organisations comply with general requirements to NGOs such as those specified in the new Law on Mass Organisations (Law No.17/2013);

- **Licencing:** When local Social Offices consider requests for permits from new organisations to provide care services for children, they are supposed to cross-check proposed services with community needs and to rule out any new risks for separation of children from their families. The Office must also assess technical, financial and human capacities of the applicant so that they are in line with the national service standards.

- **Accreditation:** Accreditation assumes a higher quality of service provision and more in-depth assessments of the respective providers. However, criteria for such assessments are very broad and the nature of respective authorities (accreditation boards) is not explicitly spelled out.

There is also no evidence to show to what extent the formal requirements for pre-certification tests are followed.

INDICATOR 5.2.
CREDIBILITY AND REGULARITY OF INSPECTIONS

The system of quality oversight is characterised by the following:	D (0.5)
· Most entities involved in provision of services directly to children (state and non-state) are regularly inspected by authorised quality experts;	No (0)
· Inspections include both announced and unannounced visits, and include analysis of the records, examination of incidents, consultations with the children, and observing staff in their day-to-day work.	No (0)
· There is a clear system to collect and respond to complaintsfrom children on alleged episodes of child protection violations in service provision;	No, extended (0.25)
● There is a clear whistle-blowing policy and guidance for social workers to report malpractice, including adequate protection to whistle-blowers.	No, extended (0.25)

Regularity and Coverage of IInspections

It is not yet clear whether 2011 Child Care standards are duly monitored at the level of institutions. According to the Standards of Alternative Care, described earlier, all alternative care providers must be inspected annually by the local Social Affairs Officers. Once in five years, local Social Offices must also review their decisions on granting service provision permits. We were not able to find any comprehensive assessment of whether these inspections began to materialise. As of 2007 (which was before the Standards were introduced), KEMENSOS acknowledge that there was essentially no monitoring of the child care institutions beyond their initial registration *(Ministry of Social Affairs of the Republic of Indonesia (DEPSOS), Save the Children, UNICEF, 2007)*. The 2007 report recommended establishing an independent professional oversight inspectorate to oversee application of care standards in child care institutions, but it sees that this recommendation was not followed through *(Ministry of Social Affairs of the Republic of Indonesia (DEPSOS), Save the Children, UNICEF, 2007).*

> *"Whatever is the reason to run NGO (charity or not) and whatever is the source of funding (public budget or other sources), we need to prohibit to help us if people want to give money but it is not according to our standard. If it is not up to standard, I am sorry, no, we can't accept it. If you really want to be a charity, you have to follow our standard." (FGD member)*

SPM compliance monitoring does not seem to involve inspections at the level of service providers at a national scope. Compliance with the SPM is monitored within the national development planning cycle. Data on SPM status are collected by local

governments and further consolidated at the national level by MOHA. It is not clear whether monitoring at the local level routinely involves inspections at the level of service providers. There is monitoring undertaken down to service providers by each corresponding sector from national level but in a limited scope.

The 2009 SPPs are supposed to be monitored at provider level, but there is no evidence of whether this is taking place, and especially in the child protection field. The Law No. 25/2009 requests all levels of government to undertake regular "public service delivery evaluations" to assess whether service providers at their level duly comply with the SPPs *(Buehler, 2011).*

Scope and Methodology of Inspections

There is no publicly available analysis or evidence on the nature of any inspections conducted in Indonesia. There are no formal rules for the way in which inspections must be conducted and what they should entail.

Mechanisms for Handling Complaints

Requirements for handling child protection complaints within the 2011 Care Standards are new and their effectiveness was not yet comprehensively assessed. Alternative Care Standards oblige all institutions in this sector to have "written policies and procedures to prevent, report, and respond to all acts of violence against children, which must be disseminated to all managers, staff, and volunteers who work with or have contact with the child, as well as to children" *(Ministry of Social Affairs of the Republic of Indonesia, 2011).* This provision is new for Indonesia; as of 2007 there was essentially no rule for organised handling of complaints *(Ministry of Social Affairs of the Republic of Indonesia (DEPSOS), Save the Children, UNICEF, 2007)*. Therefore, it still remains to be seen whether the new mechanism will be successfully enforced.

Conceptually, current requirements for complaints handling cover all basic concerns and include the right expectations to the process. While the Standards let providers develop their own policies for handling complaints, they require any institution to ensure that the following key conditions are satisfied:

- The reporting mechanism must be secure and confidential for the children;

- Children must be provided with due information on key risks and how they should be reported;

- Children must be provided with an opportunity to regularly discuss their daily life and concerns with the carers and in groups;

- Children must be taught how to report, if necessary, to other authorities such as police or Social Affairs Offices.

Elaborate complaints mechanisms theoretically exist for any public services within the SPP law, but some observers believe they are not entirely feasible. The Law No. 25/2009 on Public Service Standards (SPPs) introduced an elaborate system for citizens to complain over failed standards in various public service institutions. This system included citizen committees to oversee compliance of providers to agreed standards, as well as internal administrative structures within service units to handle such complains. In particular, service providers are required to publicise contact details of the staff responsible for handling complaints, develop internal rules for complaint handling, and ensure recording of all aspects of the complaint handling process (identify of the complainants, outcome of the investigation etc). The Law also assumed that Indonesia would create a nation-wide information system on public service delivery, which would include information about complaints, and would be open to the public. As of the 2011, this system did not seem to exist and observers believed it was a highly unfeasible project (Buehler, 2011).

The SPP law also extended the functions of the Ombudsman, but this authority still does not represent a practical channel for complaints, even though the regional offices. The Law No. 25/2009 also outlined the role of the Ombudsman as an independent authority in handling complaints and reports of violations in public service delivery. Although the role of the Ombudsman was established almost ten years earlier, the Law on Public Service Delivery has extended its functions. It also introduced Ombudsman representative offices at the regional level. However, the Law did not provide explicit and practical details on how these mechanisms should be applied (such regulations were supposed to be further developed by the Ombudsman office)(Buehler, 2011).

Whistle-Blowing Policies

Instructions for reporting malpractice by staff exist but are rather generic. The 2011 Standards for Alternative Care establish that within such institutions "any suspicion or case should be recorded and reported to the Office of Social Affairs / Social Authority, and if the case is classified as violation of the criminal law it should be reported to the police and the Ministry of Social Affairs"*(Ministry of Social Affairs of the Republic of Indonesia, 2011).* However, there are no specific requirements to ensure safety and confidentiality of the reporting staff.

INDICATOR 5.3.
ENCOURAGEMENT OF INNOVATION

The following mechanisms are in place to encourage innovation:	B (2.25)
· Child Protection programmatic documents and forums include specific discussion on the balance of risk and innovation in service delivery;	Yes (1)
· Registration process for service providers and the system of standards is sufficiently flexible and does not discourage innovation;	No, extended (0.25)
· The Government has set up specific mechanisms (earmarked transfers, working groups, pilot projects) to stimulate development of new services and programmes for child protection, addressing new protection risks, challenges and vulnerable groups of finding more effective solutions for existing problems;	Yes, restricted (0.75)
· Mechanisms have been established for exchange of good practice and new solutions across service providers and wider child protection stakeholders;	Yes, restricted (0.25)

Risk and innovations in programmatic documents and forums

Child protection principles established by the Child Protection Act are broadly supportive of innovative expansion of the current service menu. The principles for child protection service delivery set out within the Child Protection Framework Law (No. 23/2002)are broad and highlight the central importance of the child's best interests, respect to the child's opinion, non-discrimination and protection of the child's rights. As such, these principles and their further elaboration in the Law open significant opportunities for innovation and creative search for more effective, child-focused solution to management of child protection risks.

The need to develop new CP services is also explicitly highlighted by the PNBAI - 2015. Moreover, the core Action Programme for Child Protection - The National Programme for Indonesian Children 2015 (PNBAI) – explicitly acknowledges the importance of innovation for child protection service delivery. One of the objectives of the programme is "Development of new services to expand current options for protection, rehabilitation and reintegration of children affected by abuse and violence".

> *"If the new approach, new standard of service is better, it is ok, but it has to be compared to the standard which was already developed by the Government, it should be assessed by experts to check whether it is as good as they say. This is because we cannot experiment on children; children in the society cannot be for piloting. We need to apply*

approaches which were already acknowledged by experts and not just try and see."(FGD member)

Balanced acknowledgement of risk in service development was confirmed by the FGDs. FGD interviews confirm that the stakeholders generally share this understanding of the overall direction which is to ensure innovation but under condition of due consultations on any new standards and approaches so that the interests of the child are not jeopardised:

Flexibility of Registration and Standards

Rules for registration of new providers of child protection services in Indonesia are complex and rigid, and may discourage some innovative services. As was discussed in previous sections, non-state providers of social welfare services need to go through complex registration process at local and central level. Until 2013, this registration, however, was not service-specific and allowed practically any organisation to step in. However, the recently approved Law on Mass Organisations (No. 17/2013) introduced a range of new restrictions to make sure that activities of such organisations comply with the principles of Pancasila and do not endanger Indonesia's national unity and stability. Unfortunately, without clear criteria for assessing such risks, and poor accountability of regional authorities over their registration choices, this provision essentially opened a way for declining applications from NGOs whose innovative approaches would be arbitrarily charged as non-compliant.

At the same time, standards systems do not seem contain any restrictive provisions. Existing standards for services related to child protection were formulated only for alternative care. Within this type of services, standards are formulated flexibly and provide ample opportunities to innovate, as long as basic requirements are being met *(Ministry of Social Affairs of the Republic of Indonesia, 2011).* Additionally, the Minimum Standards for Service provision (SPMs) are formulated in terms of child protection outcomes (% of women and children victims of violence who received services of social reintegration) almost without any anchor to specific services, which makes these standards conducive to trying more cost-effective solutions *(Ministry of Home Affairs of the Republic of Indonesia, 2005)(Ministry for Women Empowerement and Child Protection of the Republic of Indonesia, 2010).*

Mechanisms to Facilitate Innovation

The only relevant programme identified by this study is the PKSA initiative. This assessment was able to identify only one current programme which entails an open-ended funding facility with sufficient flexibility at the level of service purchasing to enable innovative decisions in the child's best interests. This programme in question is the recently introduced PKSA initiative (Program Kesejahteraan Sosial Anak or "Social welfare programme for children"), which was described in detail in previous sections.

Innovation-conducive element of PKSA is flexible allocation of transfer through a professional gate-keeper. The element of PKSA design which is conducive to finding new solutions is the fact that cash transfers under this facility are allocated on youth savings accounts and combined with assistance received by these children and families to raise their resilience and to access basic services. This is done with the help facilitators: social workers who act as gatekeepers of the cash transfers as well as service providers (although their role is expected to gradually shift closer towards gatekeeping) *(Center on Child Protection, 2011).*

> *"In my personal experience of working with child protection NGOs, the PKSA programme is a good example. The programme is overseen by the social authorities. NGOs participating in this programme have to be accredited and it is a good incentive which is working really well." (FGD member)*

Despite low coverage, the PKSA seems to be a very important model. While this programme still has a relatively low coverage, it is a very important initiative to seed the pattern of flexible purchasing of child protection services guided by the best interest of the child rather than the interest of the providers, eventually opening way to innovation and alternative solutions.

Exchange of Ideas and Good Practice

The Government runs various types of consultations and socialisation initiatives for both state and non-state service providers. Indonesian legislation generally encourages various forms of consultations within the policy process, including through engagement of NGOs (as was described in the previous sections). Conferences and forums are periodically held at the central level which promote new ideas, models and results of the pilot projects throughout the country.

NGOs additionally co-operate through issue-based professional associations. Among the non-governmental service providers, an important channel for experience exchange is through issue-based coalitions and associations, such as the network of Indonesian Child Labour NGOs *(JARAK),* the National Coalition against Trafficking of People, and the National Coalition against Sexual Exploitation of Children. In 2010, nine child-based groups and international NGOs in Indonesia have cooperated to produce the country's first alternative report on CRC compliance *(Save the Children, 2010).*

However, these efforts do not follow a systemic pattern. The service providers – state and non-state – do not seem to be stimulated in any consistent way to forge horizontal links with their counterparts.

INDICATOR 5.4.
EFFECTIVE GATE-KEEPING AND REFERRALS

At each stage of service provision to vulnerable children, the system of child protection includes:	D (0.25)
· clear and transparent referral policies and procedures;	No, extended (0.25)
· an agency (or inter-agency structure) responsible for coordinated assessment of the child's situation, with sufficient institutional capacity to ensure that the child receives further support which serves his/her best interest;	No (0)
· a continuum of services available to respond to diverse child protection situations, preferably from a range of alternative providers	No (0)
· information exchange to keep track of the range of services available to support children and their families;	No (0)

Transparent Rules and Procedures

Decisions on the options for care, protection and support to vulnerable children in Indonesia do not seem to consistently follow a clear set of rules. Framework regulations on Child Protection broadly define principles of care, such as the central role of the child's interest and the importance for the children to grow up as closely as possible to their parents and communities, with separation being an option of last resort *(Government of Indonesia, 2002)*. However, we were not able to locate any further regulations which would clearly describe the gate-keeping and referral procedures at the level of front-line authorities and service providers.

An example of failing referral systems is proliferating use of residential home. In the absence of such rules – or their practical applications –children are finding themselves locked in sub-optimal, often harmful, services or without access to any support. One sign of such failure is the spiraling number of children in residential institutions as a result of "persistent use of institutional care". Growing use of residential care continues in Indonesia even though surveys show that 90% of the children in residential homes have at least one parent alive, and 56% have both, and children are placed in residential care to receive education and to ease financial strain on the family (Save the Children, 2009). While the Government began to promote fostering and adoption, residential homes continue to recruit children directly from parents or relatives and without due consultation with authorities.

A sub-set of referral rules was formulated for child care organisations in 2011. The first sub-set of clear referral rules seems to have emerged in Indonesia with the introduction of the Alternative Care Standards in 2011 *(Ministry of Social Affairs of the Republic of Indonesia, 2011).* It is important to note that while the Standards

are targeted primarily at the residential homes, they define social welfare institutions in a very broad way and are conceptually applicable to almost any provider of social services to vulnerable children, including any potential providers of specific protective support.

The 2011 Standards focus exclusively on the role of the providers in the referral system but this represents an important building block. As would be expected, these Standards were focused narrowly on the role of the institutions themselves in the process of selecting appropriate types of care for the children. However, they have introduced an important building block into the referral system by clearly drawing the limits of the decisions to be made at the level of service providers, prohibiting direct intake of residents without due referral with participation of Social Welfare authorities, and requested any organisation to run due assessment and monitoring of each child's situation to constantly seek alternative solution and refer the child appropriately.

The Standards cover rules for referrals at the level of providers, including in provision of support to the children's families. It also clearly specified situations where institutions may or should refer children to other competent providers (for example, if they do not have sufficient resources to provide support which corresponds to the child's needs). Referral procedures for the institutions also include requirements to undertake maximum effort to prevent separation of the child from the family and to facilitate provision of financial and psychological support to the families themselves (also by due referrals and information sharing).

The effectiveness of these Standards still needs to be verified. As on other instances when the 2011 Standards were referred in this assessment, despite the best-practice conceptual formulation, it still needs to be seen whether these rules will be effectively and comprehensively applied throughout the country.

Capable Gate-Keepers

Child protection cases at the local level are handled through a loosely coordinated network of social authorities, police units, and integrated service centers. The system for integrated assessment of child protection cases at the local level in Indonesia is what UNICEF Indonesia describes as a loosely coordinated set of "well-developed tertiary responses for children in crises", but "inadequate in terms of prevention" *(UNICEF Indonesia, 2012)*. It includes:

- Specialised police units (PPA);

- Integrated service centres (PPTs and PKT) which seem to be either based in hospitals or run directly by the local social authorities. Hospital based PPTs provide medical care, psychosocial support, legal advice and child-sensitive investigative procedures for child victims of the most serious forms of violence and of trafficking;

- Direct services by local social authorities. This includes primarily Offices of Social Affairs (Dinas Social) (covering issues related to abandoned children, children without parental care, but also victims of abuse). Office of Social Affairs also cooperates with the Office of Manpower *(Dinas Ketenagakerjaan)* to deal with cases of child labour; and with the local Bureau of Women's Empowerment, Child Protection and Family Planning *(BP3AKB, Badan/Biro Pemberdayaan Perempuan dan Perlindungan Anak dan Keluarga Berencana)* – to deal with cases of child trafficking and to support the running of the integrated service centres.

All these agencies do not seem to have sufficient capacities, inter-sector linkages and authority for due assessment and coordination to fully understand the circumstances of the child cases they address and to ensure the best response. The police units and the PPTs usually deal with most severe cases, but they "do not have the mandate or capacity to assess the family environment, or to ensure that children receive appropriate care and protection after they leave the centre". There are no systems for early identification, engagement with the families or primary and secondary service providers, and social workers do not have authority to intervene on behalf of the state(UNICEF Indonesia, 2012). Moreover, some professionals actually fear for their own safety after reporting cases of child abuse.

> *"I discussed with the doctor in the services why they do not report, and she said that what they are very afraid of is to be a witness after the information is disseminated – that's not easy for them to be." (FGD member)*

Integration in case handling at the local level also systemically suffers from poor coordination across sector authorities. For example, justice professionals find it difficult to co-operate with social welfare services to decide on the most appropriate solution to the child's situation. One reason for this is lack of clarity in division of roles and responsibilities, and "lack of a clear authority for the management and delivery of child protection services at provincial and district levels" *(UNICEF Indonesia, 2012).*

Continuum of Services

One of the biggest gaps in Indonesia's child protection system is lack of service continuum and alternative support options for vulnerable children. Overall, existing services – issue-based and cross-cutting – are strongly biased towards tertiary responses and dealing with severe cases of abuse and exploitation. Preventative and promotional services are highly underdeveloped. Moreover, existing services are tightly concentrated on limited, often ineffective options. Most importantly, there are very few alternatives to placing children requiring alternative care or temporary refuge into the residential homes. Although foster care and adoptions are gradually developed by the Government, these types of care remain at the margins of the usual spectrum of options considered by the gate keepers.

Sometimes even basic protective services at the local level are lacking. In the absence of access to social welfare support, legal aid and protection, professionals who encounter cases of abuse are sometimes leaving victims without taking cases any further. In particular, legal proceedings related to cases of abuse seem to entail financial costs to the family. This means that if children are abused by bread-winning fathers, the mothers are usually unwilling or unable to take matters further because of the costs.

> *"Doctors do not take further cases of abuse because they are afraid that it is not easy for cases to go to court and to the legal things. When we talk to the victims or to the abusers, to people who harm their children and women, we never discuss the legal aspect. Because that guy always does a lot of abuse, for him it is like a common thing, they are strong compared to women, who are weak, because if they have so many children the man has a power. So if I suggest legal action, who would pay for it? So I don't even touch it. And tomorrow he continues to do the same!"*(FGD member)

Information Exchange

Weak cooperation structures and poor menu of services entails gaps in managing respective data. Absence of viable alternatives and a continuum of services in the child protection area, combined with the absence of an effective agency to undertake effective gate-keeping and very weak coordination across stakeholders at the local level, the function of tracking alternative service option is naturally underdeveloped.

INDICATOR 5.5.
ENFORCEMENT AND FOLLOW-UP

Rules of action for providers working directly with children who fail to meet essential standards of quality are characterised by the following:	C (1.0)
· A robust system of sanctions for malpractice which is consistently applied;	No, extended (0.25)
· Provisions for tougher actions for cases of serious failure;	No, extended (0.25)
· Mechanisms to check for compliance with recommendations resulting from quality inspections;	No, extended (0.25)
· Mechanisms to provide professional supervision for social workers to guide and support the quality of their operations.	No, extended (0.25)

Sanction Rules

The 2011 Alternative Care Standards include a system of sanctions – but it is not clear whether they are actually applied. If inspections identify weaknesses and deviation from the Standards, they must produce recommendations for the organisations to improve performance and, if needed, restore compliance. Such conclusions must be followed up with later additional inspections to check whether due action was taken. If no progress was identified after three warnings, the Social Offices "are authorised" to cancel the permit. However, when deviations are grave and endanger the safety of the children, the permit "may" be revoked immediately and until full restoration of compliance with Standards *(Ministry of Social Affairs of the Republic of Indonesia, 2011).*

Failure to achieve the SPMs does not seem to lead to any sanctions, although this was recommended by the review of this instrument undertaken in 2011. In fact, the review produced a separate Concept Note on Incentives for SPM implementation. The proposed incentives – both negative and positive – were directed at local governments, rather than failing service providers. Respectively, proposed sanctions included public announcement of ranked performance, administrative warnings, replacement of regional management, and even dissolution of the non-compliant local government units *(DSF Indonesia, 2011)*.

Sanctions for violations of the SPPs are extensive, but again without clear evidence of actual enforcement. The Law No. 25/2009 has established an extensive system of sanctions for transgressions in delivery of the Public Service Standards (SPPs). This mostly included sanctions on chief executives of the failing provider institutions (salary reductions, demotions, criminal charges, revocation of institutional permits and licenses).

Tougher Actions for Severe Violations

Provisions for severe cases of malpractice exist but their consistent practical application is not verified. As was indicated earlier, the 2011 Standards do distinguish between mild and grave episodes of malpractice. In the case of severe violations which endanger the safety of the children, the permit "may" be revoked immediately and until full restoration of compliance with Standards (Ministry of Social Affairs of the Republic of Indonesia, 2011). Again, it is not clear whether this provision is consistently applied.

Follow Up on Recommendations

Mechanisms for follow-up checks are also specified, but again without evidence of consistent application. Again, as described above, the 2011 Standards do assume subsequent inspections to assess follow up action, and repetitive failure to comply with the Standards must result in revocation of permit for the service providers. Similarly with the previous criteria, this rule is conceptually strong but its practical application could not be verified.

Professional supervision for social workers

The 2011 Standards contain detailed instruction on how child care institutions should organise professional supervision for their staff *(Ministry of Social Affairs of the Republic of Indonesia, 2011):*

- Supervision is specifically defined in the Standards as the process of providing administrative, educative, and encouraging support to the social workers performed by a senior social worker who is experienced in working in child services.

- Any social work tasks performed in the process of caring for a child must be supervised by a social worker who has the required competencies and qualification as well as a higher level of experience in children services. This includes supervision of direct carers working with the child, but also other social welfare staff working in the institution.

- Supervision needs to ensure that the social worker is capable to perform all necessary duties, to improve his/her competence, and receives any needed assistance in dealing with personal problems that may hinder him or her from performing their duty.

- In appointing the supervisors, the institution needs to consult with the Office of Social Affairs, so that they could jointly identify the most appropriate and qualified professional with needed competence.

- The competence needed for professional supervision includes:

  - Knowledge and skills in the provision of alternative care services including those provided through the Child Welfare Institutions, as a basis of assistance for the carers.

  - Knowledge and skills of the administrative aspects of alternative care provision,such as child case records (assessment results, care plan, and the provided care services) as well as other documents that form the basis of accountability/ responsibility for the provision of care services for children.

  - Ability to help solve problems faced by the carers, in relation to children's care as well as problems of a personal nature that may hinder the provision of care.

While these rules correspond to best practice, it needs to be verified to what extent their application is feasible and actually taking place. In the absence of a comprehensive assessment, preferably through a sampled survey, acknowledging the effectiveness of these rules is not yet possible.

INDICATOR 5.6.
INTEGRATION WITH COMMUNITIES

Quality is ensured by maximum integration of communities in service provision, reflected in the following:	D (0)
· Most services and programmes available to vulnerable children involve community and voluntary sectors in the planning, development and implementation of child protection;	No (0)
· There are specific community development and outreach programmes to promote child protection policies with account to local or regional priorities;	No (0)
· Mechanisms are in place to ensure that vulnerable children remain close to their homes for as long as possible;	No (0)
· Restorative juvenile justice is done through responsible policies which align the needs of young offenders with social welfare capacities in the communities.	No (0)

Involvement of Communities Into Child Protection Planning

Child Protection Law refers to importance of engaging communities into development of child protection policies and into the provision of services to children. Article 72 of the Law states that "Community has the right to the broadest opportunity to play a role in the protection of a child", and that this role "involves individuals, child protection agencies, community and charitable institutions, NGOs, educational institutions, religious institutions, businesses, and the mass media" *(Government of Indonesia, 2002).*

In reality, consultations with communities are often tokenistic. Policy planning at any level is theoretically supposed to involve consultations with the public. But as was discussed earlier, in reality communication of policy decisions is usually described as "socialisation" – that is, informing the constituencies about the existence and substance of laws and regulations, rather than seeking meaningful dialogue and inputs *(Butt, 2010).*

Community Outreach

Child protection services at the front-line level are mostly represented by tertiary responses with almost no capacities for promotional and preventive work in the communities. One barrier to community outreach for early identification of children at risk and linking to their families is lack of social work capacities at the sub-district level. Currently promoted models for community-based prevention systems attempt to utilise the health system network which has deeper sub-district representation. However, the approach at the health facilities is almost always reactive and tertiary

rather than proactively reaching to the communities. At the same time, the concept of posyandu (health post) at community level provides one opportunity for potential early detection.

Keeping Children Close to Home as Long as Possible

As was discussed in detail in previous sections, home-based and community-based types of care are severely undeveloped. The entire system of child protection in Indonesia is still strongly biased towards institutional and punitive approaches. While a range of programmatic documents states that separation of families has to be the option of last resort, in reality residential care is proliferating and alternative forms of care find it difficult to take root.

Framework models instilled by the Ministry of Social Affairs in reality involve services delivered by institutions rather than through communities. The 2004 Guidelines for the Care of Children in Need of Special Protection, issued by the Ministry of Social Affairs, outline a "framework model" and a list of "community" mechanisms to deal with cases of protection violations, but within these models and mechanisms the primary role in service provision is still allocated to existing childcare institutions *(Save the Children, 2011).*

Restorative Juvenile Justice

Currently, the bulk of Indonesian children in conflict with the law are put in detention with almost no protection of their special rights. At the moment, about 90% of young offenders in Indonesia are put in jail for petty crime. These children are commonly placed in the adult detention facilities, since the number of juvenile detention facilities is very limited (UNICEF Indonesia, 2012). Access to education and health services in these facilities is marginal, and risks of abuse and maltreatment are extreme. Although the previous 1997 Law on Juvenile Court has been effective for many years and called for using detention as a method of last resort, it had little impact on actual practices. Diversion cases have been very rare and usually based on subjective criteria *(UNICEF, 2013).*

A massive reform of the juvenile justice system will launch as the new Law on Juvenile Criminal Justice System comes into effect in July 2014 (No. 11/2012). The law eliminates the previous approach of keeping juvenile offenders in large detention centers as "children of the state". Instead, children who committed minor offences would be returned to their families, assigned to community service or placed in social welfare centres run by the Ministry of Social Affairs or regional social agencies *(Sabarini, 2012).*

Preparation for planned re-allocation of detainees into local social welfare centres is lagging behind. Future success of this progressive move will crucially depend on the capacities of the local social welfare centres and social workers to properly accommodate these vulnerable children and to integrate them into communities. Some reports state that necessary arrangements on the ground are far from ready.

In many cases, juvenile offenders face the prospect of ending up in the same rehabilitation centres and shelters which host other categories of vulnerable children (such as homes for orphans, street children, or even vocational training centres for children from poor families), without due account to their special and separate needs and risks *(Sabarini, 2012)*.

Capacities to host CCL at the local level are very undeveloped. Ministry of Social Affairs plans to set up at least one social welfare centre for such children in every province by 2017 (compared to only 4 provincial centres as of 2012). However, they recognise it as a tough ambition, given that the new centres will need to combine social work with necessary surveillance and community outreach, which would be a very new and challenging approach *(Sabarini, 2012)*. At the moment, this work seems to be at the very early stage or not at all in progress.

Community outreach is also insufficient to ensure adequate diversion and rehabilitation. Apart from building physical and technical capacities for restorative justice at the local level, Indonesia will also need new skills for community outreach and awareness raising, to ensure that vulnerable children would be met with understanding and support, especially within the planned diversion programmes and if children are taken into custody. Some models for such co-operation were set up on a pilot basis with the help of UNICEF but it does not seem to have had a comprehensive roll out at this point *(UNICEF Indonesia, 2004)*.

PUBLIC COMMUNICATIONS AND INFLUENCING

INDICATOR 6.1.
CLARITY OF CHILD PROTECTION COMMUNICATION STRATEGY

Public communication and influencing plans in child protection are expressed in the following:	D (0.25)
· The Government has undertaken evidence-based diagnostic of any attitudinal factors and risks in child protection;	No, extended (0.25)
· The Government has a communication strategy for child protection, which outlines key objectives, messages, target audiences, influencing methods and mechanisms to obtain feedback;	No (0)
· Communications objectives in child protection includes measures to assess and bridge any gaps between statute law and religious, customary and traditional law;	No (0)
· Messages and action points from the agreed communication strategy are incorporated in the on-going programmes and measures in child protection related fields.	No (0)

Diagnostic Studies

Programmatic documents frequently mention problems with attitudes but use dangerously vague concepts and no evidence. Culture, traditions, values and attitudes are frequently mentioned in the Government programmatic documents related to child protection. Some of these strategies include broad analysis of how exactly the cultural context influences child protection environment. However, this analysis is usually very broad and is not based on any quoted evidence. Many concepts used for describing attitudinal bottlenecks in child protection lack clarity and sometimes highly subjective, which makes it difficult to develop counter-active policies (e.g. the diagnostic analysis may refer to "moral degradation" or "consumer lifestyle").

Analysis of cultural context in the PNBAI 2015 is very broad. The discussion of values and attitudes as a factor in building a safe environment for children features, in particular, in the country's National Programme for Indonesian Children 2015 (PNBAI). The PNBAI divides child protection risks and factors into macro-, meso-, and micro- causes. Macro-causes are mostly linked to "government policies"

(including those which create economic and social inequities) and legislative gaps. Harmful values and attitudes are mentioned as meso- and micro- issues. On the one hand, this includes "values of social-cultural life of society such as gender inequality and patriarchal and feudal society" ("meso"). On the other hand, this includes a wide range of "micro" causes, such as:

- "Children seeking adventure, running away from families, lifestyle consumerism";
- "Moral degradation"
- "Family dysfunction and growing divorce rates".

Influence of values and attitudes on many child protection issues is entirely overlooked. The PNBAI also offers a list of particular cultural problems by individual child protection issues, as summarised in Table 8. Relatively more detailed analysis there is offered for the problems of child labour and child trafficking. But even this analysis is very broad, without any disaggregation to identify audiences, messages and methods. Moreover, most other issues remain without any diagnostics of the cultural context and any risks created by harmful values (including, for example, children in conflict with the law, domestic violence or children from minority groups). Again, all statements and conclusions are entirely without links to evidence.

The recent mapping of child protection systems in six provinces of Indonesia concluded that while values are very important, current understanding of them is very weak. The study provided a general description of some current values and attitudes. However, it also noted that in order to design an effective system of behaviour change, these values and their impact should be investigated much deeper:

- On the one hand, many existing attitudes are positive. "In all provinces there were positive values in support of child protection", such as increased care over pregnant women and gratitude ceremonies when new children are born. The positive values also include importance of solidarity and strong role for families in caring for children. Moreover, at least one of the provinces (NTT) had a tradition of *"guni gelo"* which assumes that people who harm children deserve punishment.

- At the same time, some traditional practices seem rather dangerous and even promoting violence and abuse of children. As was already mentioned by other studies, on some instances in Aceh, but also in South Sulawesi and West Sulawesi, children who were seen as perpetrators of religious law were expelled from communities. Other traditional laws require children to work in support of family income.

- The study recommended an in-depth additional diagnostic research. A special study was recommended for NTT, West Sulawesi and East Java to understand traditional values and impact of awareness raising activities *(UNICEF Indonesia, 2012).*

Communications Strategy

Indonesia does not have a single communication strategy for Child Protection, but some communication objectives are scattered through several programmatic documents. As was already mentioned, some discussion of attitudinal issues is included into the National Programme for Indonesian Children 2015 (PNBAI). Based on the limited diagnostic analysis described earlier, the PNBAI outlines a range of broad objectives and plans for child protection communications. In particular:

- One (out of four) child protection policy objectives is increased resilience and responsiveness families and communities can protect the child from all forms of abuse, including abuse, neglect, exploitation, trafficking, violence, and discrimination."

- Two (out of nine) child protection strategy objectives are: (1) Empowerment of families, parents and carers of children and the community as a whole, and (2) Increased gender equality;

- Four (out of fourteen) principal activities in child protection are:

  - Campaigning, advocacy, communication, information, and education, and counselling regarding anti child maltreatment, including abuse, neglect, exploitation, trafficking, violence, and discrimination both nationally and locally;

  - Socializing and advocacy to the legislature, the executive of the sector, and professionals that always put the national program for children in order to fulfil the rights of children. This is necessary so that the embedded awareness and understanding of the importance of the fulfilment of children's rights;

  - Empowering families and child labour law firm to take actions against those who employ children in the worst forms of work in the context of the elimination of the worst forms of child labour;

  - Increase active participation of families and communities, including developing networks between governments, NGOs, and the business community, including the media information, in support of efforts to protect the child against all forms of abuse, including efforts embodiment safe environment for children.

All these objectives are formulated in generic terms, without specification of any particular messages, target audiences or influencing tools. Some elaboration of these ideas if provided in the discussion by individual child protection issues, again summarised in Table 8. However, an objective there is provided only for influencing in the area of commercial sexual exploitation, and again without specification of the messages and audiences. Part of the reasons for this gap is the vague diagnostics, which refers to "consumer lifestyle" and "public perception of sexuality as immoral". Even less detail is provided on expected methodologies and measurable success targets.

"After we know what kind of attitude we want, we also need to decide what are effective ways to change that attitude? What methods we can use? And of course, the method depends on whose behaviour we will be changing. Because not all audiences require same methods. It has to be done professionally, following the rules of communication theory. But we don't even have a strategy for this." (FGD member)

Table 8.
Public Communication Aspects in Child Protection Strategies

Issue	Diagnosis	Objective	Method	Target
Child Labour	Causes: œ "Perception of parents and community that child labour is not bad but part of socialisation of children and responsibility to support family income" œ Consumerism lifestyle, peer pressure"	-	-	-
Commercial Sexual Exploitation	Causes: œ "Consumer lifestyle" œ "Communities perception about sexuality and status of women and prostitution is immoral and should not be discussed in public places" (which conceals the problem)	"Develop environment, attitudes and practices responsive to the problems of sexual commercial exploitation of children"	-	-
Child Trafficking	Causes: œ "Consumer life style of families" œ "Traditional values that assume that child is property that can be treated arbitrarily by parents in addition to the existence of gender bias and status of woman who were deemed too low among public".	-	-	-

Issue	Diagnosis	Objective	Method	Target
Refugee Children and Children Involved in Armed Conflict	-	-	-	-
Violence, Abuse, Maltreatment	Problems: Considered a family issue that do not need to be known by others	-	-	-
Substance Abuse by Children	"Drug abuse problems can not be solved with a formalistic approach to law, social criticism or religion, but rather the necessary law enforcement and legal sanctions and heavy for producers, traffickers and perpetrators (traffickers)".	-	-	-
Street Children	Problems: "existence denied by society" (often just raked from the streets "for peace and order")	-	-	-
Children in Conflict with The Law	-	-	-	-
Victims of National Disasters	-	-	-	-
Children in Need of Alternative Care	-	-	-	-
Children from Minority Groups	-	-	-	-
Children with Disabilities	Problems / causes: œ "lack of public awareness on early detection" œ Unwanted pregnancies œ Neglect (high % resulting from accidents) œ Violence, abuse	-	-	-
Education	Problems / causes: Low awareness of parents and community on importance of education	"Equip children with knowledge, skills and attitudes in order to have the ability to life in the future".	-	-

Issue	Diagnosis	Objective	Method	Target
Child Health	-	"Empower families – improve knowledge, attitudes, behaviour of the mother, husband (father), guardians, caregivers; improve health seeking behaviours".	-	-
HIV/AIDS	Problems / causes: % of children cases of HIV cases small but children increasingly vulnerable (increasingly sexually active, growing drug abuse, violence, more abandoned and street children).	IEC (Information, Education, Communication) interventions to teenagers and young adults, as well as their families, "to improve knowledge, attitudes and positive behaviour to prevent HIV transmission", "promote safe sex behaviour",	"Through broadcasting (electronic, print, traditional) and narrow-casting (family group, seminar, interpersonal communications, counselling).	Target: % of children covered by IEC

The province-level mapping of child protection systems in 2012 acknowledged this gap. The mapping recommended most of the participating provinces "to develop a strategy of clear behaviour change, to be implemented jointly with a range of partners including religious leaders and structures, as well as civil society and social welfare institutions". The study recommended that such strategies should "redefine traditional ethics and values, encouraging positive approaches" *(UNICEF Indonesia, 2012).*

"Successful communication depends on the skills of those who are doing communication; in my opinion, it must be done professionally. We, government, have a lot of activities which are related to communications: we do some advocacy, socialisation… but are they effective? We have a lot of workshops, seminars, but we do not have real change, no change in attitudes and values. And we don't know why is this. Do we have to use other experts? Do we need to use other methods? So, in my opinion, it has to be done more professionally, because otherwise we are just wasting the money." (FGD member)

Bridging Statute, Religious and Traditional Law

Mixed legal system with elements of civil, *sharia* and *adat* law holds child protection as a sensitive and potentially conflicting area. Indonesian legal system is a mixed system, which includes elements of Roman Dutch Law but also significant components originating in religious (mainly *sharia*) and customary law (including the adat – traditional law not deriving from Islam). As in many countries in the region, traditional law is an especially strong factor in shaping views and decisions in child protection. Family relations, including the role and responsibilities of children and parents, as well as rules for engaging with wider communities on child protection matters, is an area on which many traditional legal systems hold particular and rather strong views.

At least some of the areas where potential conflict could be possible and needs to be addressed include:

- The need to seek legal action on child abuse issues in line with the national law and the often conflicting practice of resolving the conflict by means such as financial settlement for the sake of community harmony *(Child Frontiers, 2012)*;

- The policies for child sensitive treatment of juvenile offenders and stricter rules for detention of children by the *Sharia* Police *(Wilayatul Hisbah, WH)*, for example in cases of violation of the law against seclusion (*Khalwat* – two people of different sexes not married or related found together in isolated place) *(Human Rights Watch, 2010)*;

- The definitions of child abuse in the country's international commitments and the *Qanuns* which encourage corporal punishment;

- National policies against child marriage and regional Qanuns which authorise conditional release of young adults detained for seclusion if they agree to marry *(Human Rights Watch, 2010)*;

- National policies against torture and the rules of subjecting girls accused of seclusion to forced virginity tests *(Human Rights Watch, 2010)*;

- Growing needs to further regulate practices of international adoption and strict religious rules on kefalah and adoption, as well as requirements to the guardian families *(Muslim Women's Shura Council, 2011)*.

At the same time, none of the current strategies in child protection explicitly discuss the need to positively bridge the current gaps and conflicts across the legal systems. All existing programmatic documents seem to address the issue by using flexible or vague definitions which broadly fit conflicting perspectives, but simultaneously create confusion and room for wishful interpretation.

Messages Incorporated in Programs

Although the PNBAI states that communications would represent four types of principal activities in child protection, there is no evidence at the moment of this really taking place. At the provincial level, the 2012 mapping showed that most activities concentrate on protective interventions, with almost no real action to change behaviour. Some gradual influencing is taking place very gradually through the work of NGOs, education facilities, new types of integrated services and progressive community leaders. In South Sulawesi, local government used local media to disseminate information about child protection and its policies *(UNICEF Indonesia, 2012).* However, these efforts do not seem systemic.

> *"Change of attitude happens gradually, it cannot happen overnight. It takes time, long time. And it requires continuous effort. For example, we all remember the story of influencing behaviour in family planning. We wanted to decrease amount of children in one family, and it fell from five to about 2.4-2.6. It took time, it took years of communication. Many methods, many parties, and we had success. But then recently we had a change of leadership and policy, and now we are losing on this front again, and the family size is again growing! Not sharply, but there is a problem there. Our objective is again lost. This is the same with child protection. Yes, we can make sure that people attend one or two seminars. But it is not enough. First we need political will, and therefore we need to start by changing attitudes and values of the decision makers, so that we will have continuous policies for many years. And then we can influence families and parents."* (FGD member)

INDICATOR 6.2.
AVAILABILITY OF EVIDENCE ON VALUES, ATTITUDES, CUSTOMS AND TRADITIONS

Communications are supported by the following:	C (1.5)
· Number of barometric or other attitudinal surveys conducted over the last 5 years to assess and measure public attitudes towards child abuse, exploitation, and violence is positive and growing;	No, extended (0.25)
· Number of surveys over the last 5 years to assess and measure outcomes for children related to key specific CP priorities in country (e.g. violence against children) are positive and growing;	No (0)
· Number of national studies related to cultural context, traditional beliefs and attitudes to child protection is positive and growing;	Yes (1)
· Any gaps and collisions between child protection agenda and customary laws are well-researched and clearly formulated; research is underway to design ways to bridge existing divergences.	No, extended (0.25)

Surveys to Measure Attitudes

The current pool of data collected and used in Indonesia's child protection system does not seem to contain any information on values and attitudes. Demographic and socio-economic data collected by the Bappenas and the information on "social dysfunctions" raised by the KEMENSOS do not have any attitudinal aspects. No current surveys, national or local, has components which would cover cultural dimensions for any child protection issues, even those which were identified with relative clarity in the strategic documents (e.g. attitudes to children participating in labour, views on the phenomenon of domestic violence, thoughts on street children, children in conflict with the law etc). Case management data collected at the local level could theoretically contain attitudinal component, but given that it is not structured and standardised, verifying this or using this data is not feasible. At the same time, with support from UNICEF some studies were conducted on knowledge attitude and practice (KAP) in South Sulawesi (2013), Papua (2012), Aceh (2005), Central Java (2013), West Java – specific on pesantren (2011).

> *"It is difficult to speak about culture, because we don't have any record about that. And when we achieve change, we will not be sure! We feel that maybe there is change, but we don't know. I will use an example. I receive new staff from statistical school, fresh graduates, and I can feel the difference in how they think and behave compared to people who graduated 15 years ago. It is very different: they work differently, much more effective, but also their attitudes to seniority is different, I can feel it. But there is no record, and all we can say is that we have some*

feelings about this new generation and their attitudes. We are sure there is some kind of change, but we have no record and we know little about it." (FGD member)

Surveys to Measure Child Protection Outcomes

Data on protection outcomes which could be used for influencing and communications purposes is essentially absent. As was discussed previously, Indonesian child protection information management systems are fundamentally weak in their ability to generate evidence on protection risk factors, prevalence of problems and evaluation of any existing interventions.

"It is difficult to reflect human behaviour and attitudes in statistics. For example, there is some statistics on watching television and what impact does it have. Some people use this data to object to the problem of abandoned elderly. They can say that these elderly people work more than 35 hours per week, but they watch television even for even more hours, and the amount of time they spend watching television was growing between 2003 and 2012! But we have to understand the context. Maybe this is because televisions are easier to access; maybe people are tired, lonely, maybe television is also their way to gain new knowledge.

Same with children, what do we want to measure? We can get data how their use of cell phones and internet is growing. We can blame them for switching from reading newspapers to watching TV. But we don't know whether more children are inclined towards criminal behaviour; we don't know whether people in the society are becoming more open to report sexual harassment; we don't know how prevalent are cases of sexual relations among children in juvenile prisons. We don't know much about trends in child attitudes!" (FGD member)

Studies on Beliefs and Attitudes

This assessment is based on analysis of a sample of publications led by the University of Indonesia. Accurate assessment of the academic effort in the area of cultural factors in child protection would require a proper systemic review, which was not possible within this study. However, it was possible to analyse a sample of research activities supported by one of the Indonesia's leading universities, the University of Indonesia (Universitas Indonesia). In particular, we have looked at:

- The list of publications featuring directly at the university website;
- The list of grant proposals and fellowships supported by the university;
- The list of key relevant academic journals supported by the university and their core recent publications.

Even within such small sample, there is a visible attention paid to cultural analysis in child protection. While there is no joint policy direction, many papers, proposals and fellowships seem to be dedicated to analysis of attitudes and cultural contexts related to child protection risks.

- **Academic research of cultural factors behind social trends is very popular.** While not all of these papers deal with social welfare and child protection, there is a range of projects looking generally into questions such as the impact of "moral reasoning" and attitudes in education system; phenomenological analysis of welfare issues (e.g. phenomenological analysis of family experience in conducting prevention, rehabilitation and management of vulnerable elderly) *(Setiawan & Mustikasari, 2007).*

- **A range of the grants and fellowships awarded by the University in the recent years deal with issues which are related to behaviour change and attitudinal factors in child protection.** This includes, for example:

  - "Construction of advertisements in TV programmes for children and their impact on mediation of children's critical power by parents";
  - "A multi-perspective study on unemployment among young women in Depok (West Java)";
  - "The role of well-being, leadership and innovation in reaction to change";
  - "Exploration of risk factors for post partum depression among women who have babies in public health facilities in Jakarta".

- **Publications in University Journals throughout social and humanitarian fields pay strong attention to child protection and its underlying values.**For example, articles in the National Public Health Journal of Public Health *(Kesmas)* cover the following themes:

  - "Adolescent girls behaviour encountering menarche phase according to Batak culture";
  - "Unintended pregnancy and birth weight";
  - "Environmental situation, maternal behaviour and child health" (looking into issues of neglect);
  - "Premarital adolescent sexual behaviour in Indonesia";
  - "Male participation in family planning in Indonesia";

- **At least some of the departments and laboratories engage in interdisciplinary research on child protection.** For example, Laboratory of Sociology under the respective Department has published the following recent paper: "Street children also need to play" (analysis of the use of leisure time by street children, confronting the view that leisure time is the prerogative of upper middle class).

  > *"In order to interpret that there is some trend, for example for children in conflict with the law, we need to be sure that children are becoming more criminal compared to children in the past. But maybe the change is numbers is because our system of recording is much better than before, and we are only registering more cases? We need to be sure that we are*

using same variable before we begin to compare. And the same is for culture. To know that the situation is not the same as before, that there is a change in culture, we need to be sure that we are comparing same things. We need good academic studies.". (FGD member)

Research on Bridging CP Agenda with Customary Laws

Some investigation of possible links between the alternative legal systems are visible in non-state research, but it is not yet linked to government policies. Studies begin to address the links between new policies in juvenile restorative justice and the traditional values of penal mediation intrinsic in the philosophy of Pancasila, which prompts community members to resolve problems through harmonious joint effort *(Supusepa, Akub, Sofyan, & Karim, 2014)*. Broader studies on how customary laws could be used as assets and linked positively to child protection initiatives also develop at the regional level. For example, these include ideas on positive engagement of community leaders in conflict resolution *(Child Frontiers, 2012).* However, none of these academic initiatives were yet reflected in the government policies at either central or sub-national level.

INDICATOR 6.3.
ALERTNESS TO CHANGING RISKS AND VULNERABILITIES

Child protection communications include the following:	D (0)
· Communication strategies are regularly updated to incorporate new child protection risks;	No (0)
· Programmes in child protection communications cover new and emerging vulnerabilities (e.g. related to digital technologies, new trends in tourism, climate change);	No (0)
· Public communication and awareness raising plans addressing key child protection concerns have been prepared specifically for key relevant intermittent natural emergencies;	No, extended (0.25)
· Communication and influencing programmes to prepare for child protection risks resulting from potential social disruptions (conflict, civil disorder).	No (0)

Regular Revision of Communication Strategies

Even the currently limited influencing plans are not regularly updated. Communication strategies as such are absent in Indonesia's child protection system, and those influencing plans which were formulated within programmatic documents such as the PNBAI cover extensive periods of time and do not seem to be regularly revised (in the case of PNBAI – nearly 15 years, as this program covered the period of 2001-2015).

Programmes on New Risks

National communication plans do not contain systemic strategies to address new child protection risks. The description of communication and awareness raising plans in the PNBAI 2015 refers to the changing environment only in terms of "moral degradation", increasing consumerism, growing rates of divorces, as well as growing prevalence of drug abuse and violence in the society. Some work on counteracting new risks is undertaken in a range of pilots (such as, for example, anti-trafficking activities in East Java), but these are rather ad hoc, not based on national or regional strategies and not systemically rolled over.

Communications to Prepare for Natural Disasters

As was discussed earlier, the Government's own systems for emergency preparedness and contingency plans are generally rather weak. The current contingency plan for Child Protection is strongly based on donor-led initiative and is only covering major disaster risks. Moreover, this plan is mostly focusing on humanitarian response and does not contain a pronounced communication component. It includes steps such as dissemination of Government policies on separated children as part of the initial response to emergencies, but further activities are focused on identification of vulnerable children, ensure their access to basic services, procurement of recreational kits, child friendly spaces, training of caregivers and humanitarian workers *(Indonesia Protection Cluster, 2011).*

Communications to Manage Risks Related to Social Disruptions

There does not seem to be any pre-emptive communication program to address risks for children arising from social emergencies. Current peace building initiatives and emergency preparedness plans for cases of civil unrest are very weak and, where they exist, focus on protective responses such as establishment of child-friendly spaces; identification of vulnerable children and ensuring basic access to services among the refugees and displaced population groups. The Government does not seem to have any pre-emptive programmes raising awareness on the risks to children which could arise from conflict and ways to protect them.

INDICATOR 6.4.
INTERACTIVE AND ON-GOING ENGAGEMENT WITH KEY AUDIENCES

Implementation of the child protection communications strategy includes:	D (0.25)
· A breakdown of strategic communication objectives into smaller short-term and more manageable tasks ("the sprints");	No (0)
· Regular discussions of communications agenda and context by the coordination structures in child protection ("the scrum") resulting in correction of messages and approaches;	No, extended (0.25)
· Activities to keep track of the changing communication context and to involve inputs from key audiences (children, parents, community-leaders, faith-based organisations, etc);	No (0)
· The process of approval of fresh communication content is straightforward and transparent.	No (0)

Breakdown of Objectives Into Smaller Tasks

Communication objectives formulated within current programmes are very broad, with no specification of palpable shorter-term tasks. Messages within current programmatic documents – such as the need to convince parents to stop thinking of children as their property – are very broad and long term. Given the absence of communication strategy as such, smaller short term tasks are also absent. This approach is very far from the modern public communication approach which assumes delivering "bite-size" projects with "aggressive deadlines" and very clear expectations for each such individual cycle ("sprint").

> *"Thinking about whether we have enough evidence for longitudinal research, for long-term influencing… I think what is important is that at least we don't wait and start influencing immediately. We should plan something practical – how to start changing the situation, how to change education, curricula, books, parents. And then everything will just emerge from the context." (FGD member)*

Fast-Reaction Team for Regular Fine-Tuning of Messages

One of the key prerequisite of successful agile public communications is working through cross-functional mobile teams of specialists from diverse departments. The defining feature of such teams is the ability to dynamically engage into developing practical communication tasks and be ready that the tasks would change for the next short-term cycle.

As was discussed in previous sections, Indonesian government has set up promising coordination structures. Representative of core ministries successfully engage into individual task force groups around specific protection issues, and the KPAI has an important role even though it is not capable of playing a genuine umbrella function for whole-of-government policy coordination. The individual agencies also engage into coordination led by Bappenas for the purposes of national planning.

However, these established structures have not yet managed to reach consistent policy solutions beyond sector-specific and issue-specific tasks, including communications. Collaboration between sectors remains rather pragmatically focused on the needs of specific programs and projects, but wider needs – such as agreeing on consistent child protection definitions – have lagged behind. Communication is been no exception, with essentially no mechanism for dynamic cross-functional cooperation for joint delivery of key messages.

> *"In my opinion, we do already have a lot of values in our culture which help to protect children. We know we should be good to children, but we are not doing it properly. If children are naughty, if they don't want to study, we beat them. And maybe they even obey, but it has impact on kids – it has been researched. So, we have to keep that overall positive culture, but these practical approaches and beliefs we have to change – but they will evolve very gradually. It will take years, it is a process, it has to be done continuously. And at every stage we will need to use the right method."* (FGD member)

Keeping Track of Changing Communications Context

The context in which Indonesia has to run its influencing for child protection is quickly changing. Some of the key changes include introduction of new regulations; elaboration of the country's decentralisation arrangements; increasing risks from global environmental, social and economic turbulence; development of new technologies.

At the same time, capacities to incorporate changes into influencing campaigns are very weak. Members of the FGDs acknowledged that all of these and other factors greatly influence the way in which people perceive child protection, and that oftentimes the Government is caught off guard by these reactions and does not have capacities to incorporate this feedback and react appropriately. One example which was frequently quoted is the process of preparing to the implementation of the new Law on Juvenile Justice, which is expected to come into effect in 2014. Some reactions to this law seem to differ from what initially expected, and these reactions do not seem to be fully understood or captured by any policies at the moment. It seems to have been expected that communities might not be immediately prepared to fully accept young offenders into local rehabilitation initiatives. However, the policy makers are also finding that the current law stimulates correction facilities to get rid of children without ensuring due care; while other provisions of same law in fact steer excessively punitive decisions. In view of the government representatives,

these errors result from poor understanding and poor communication of new policies. However, improving these communications is not on agenda and it is not even clear how exactly the messages should be changed to correct these unexpected deviations.

"The change of attitudes is not instant. Take the example of the ABH (children in conflict with the law). The new law will come into effect next year, and some places are already preparing. But what happened is something we didn't expect. In Aceh, there is an activity now to understand whether it will be legal to arrest persons above 14 years of age. Because if such children are arrested, the Bapas (Juvenile Correction facility) will now think of them as extra headache; they already want to get rid of these kids and just return them to parents. But the actual impact is sometimes simply that the responsibility over these children is abandoned. The state is going to give all these children pardon and return them home, and this will create good impression. But what will happen to these children at home? They will not be accepted, there will be social stone-walling, and they will become true victims. But this is not right, they are supposed to get our attention, we need to monitor their situation properly.

And in another example there was a story when seven children were sent to Jakarta accused of violence towards adult policemen. The episode happened near a mini market with a CCTV, and the camera footage shows that there was a fight between community and the police, and these kids were standing nearby and just held some stones as precaution in case the fight would spread and they would be in danger. But the kids are arrested, and even though in this case it is really better just to send them home, the case is not closed and proceeds with reference to the new law, even though it contradicts the very idea of this law. So, this new approach needs much more dissemination and explanation. Because at the end of the day, we want to protect the children, but we achieve the opposite". (FGD member)

Simple Procedures for Fresh Content

Government's communications are excessively bureaucratic and not trusted by general public. One of the key requirements of successful agile public relations is ability to generate external communications without unnecessary layers of approvals and consultations, so that the content of the communications remains well-timed, adequate and fresh. Unfortunately, current administrative systems used by the Indonesian Government to run public communications are not lean and effective, but instead rather cumbersome. In view of Indonesian scholars, government communications are ripe withbureaucracy which makes them essentially dysfunctional. The recent paper by *T. Hidayat* describes how most messages sent by the government "tend to be ignored in the midst of public distrust" *(Hidayat, 2012).*

INDICATOR 6.5.
BUILDING ON EXISTING POSITIVE VALUES

Communications and behavior change strategies in Child Protection incorporate existing positive values and achievements:	C (1.5)
· Messages and behaviour change programmes clearly link to current positive views on children, society, and human rights;	Yes, restricted (0.75)
· Communication programmes identify barriers to behaviour change and offer information and user-friendly solutions on how these could be overcome;	No (0)
· Communications offer a range of positive consequences of stronger protection for children;	No (0)
· Government agencies use a range of best practice models, cases and positive deviance examples to demonstrate how child protection issues could be positively resolved.	Yes, restricted (0.75)

Links to Current Positive Values

Existing positive values are acknowledged but not yet clearly linked to new messages that need to be promoted. Initial thinking about possible influencing strategies in Indonesia described in current strategic documents (such as PNBAI and the provincial child protection system mapping) builds very explicitly on the currently shared positive values. For example, much of the analysis of possible communications in the provincial mapping describes currently shared attitudes of social solidarity, community cohesion and thinking of children as a blessing and as the future for the society. However, while the positive values are identified and acknowledged, there is less clarity on how they should translate into new vision of safer environment for children.

Information to Deal With Change Barriers

Analysis of barriers to attitudinal change does not seem to be systemic. Barrier analysis assumes diagnostic investigation of behavioural determinants (social norms, presumed consequences of actions) which discourage individuals from engaging into positive child protection choices. While most programs assume that parents and communities must be invited to treat children with love and care, there is less understanding of what particular beliefs keep families and community members from engaging more positively with children, and few activities to strategically respond to these challenges.

Explanation of Positive Consequences

Current communications for child protection seem to be biased towards negative rather than positive consequences. Influencing depends on the ability to create positive motivation for change. However, most messages in child protection in Indonesia are rather negative, primarily focusing on the harm resulting from child abuse and maltreatment. In particular, communication materials lack evidence on: improved educational attainment which can result from safer childhood; economic costs of child abuse and maltreatment which could be saved for alternative purposes; virtuous interpretation of caring attitudes through religious doctrines, etc.

> *"We see such good examples of influencing on television, they are often successful. But we don't do it well. For example, if we know the mothers are not doing right things, we tell them to stop it, but it is prohibition, and people don't like to be instructed or prohibited. Instead, we need advertisement like those on television, we have to encourage. But we need to find the right way to do it." (FGD member)*

Models, Cases, Best Practices

Some new models are developed on pilot basis, such as the positive deviance initiative against child trafficking in East Java, but this work is not yet systemic. Indonesian Government actively co-operates with international donor agencies and organisations to develop a range of positive child protection models which could be used for influencing and communications. In particular, Indonesia is one of the champions of positive deviance approach in child protection, having worked on a 5-year pioneering project in East Java together with Save the Children and Indonesian NGOs since in 2003-2008. The project worked on prevention of girl trafficking by helping to find other economically viable solutions to remain in their communities. This initiative focused on dealing with deeply rooted informal social rules around sex trade, including the social taboo on discussing the issue. Other important attitudinal factors included parental complacency with letting their children engage in dangerous income-generating activities and their views that sometimes it was inevitable and any risks were impossible to manage. The project generated and actively disseminated evidence to show that alternative economic solutions within the village were possible; that entertainment industry contained risks which could have been avoided by careful investigation of employers, ensuring that girls leaving the village would remain in close written contact with the families by regular letters and phone calls etc(Singhal & Dura, 2010).

> *"We lack models, good models in child protection, which could show success. For example in caring about children, we have to publicise some models, and people could start to repeat, after they have an example. Because when we just say protection – what kind of protection? They need an example, some model, then it's easy for them to imitate it." (FGD member)*

INDICATOR 6.6.
INVOLVEMENT OF KEY OPINION LEADERS

The Government cooperates with the following stakeholders with the aim of promoting positive attitudes in child protection:	D (0.5)
· Community leaders;	No (0)
· Faith-based organisations;	No, extended (0.25)
· Other influential organisations and individuals;	No (0)
· Children themselves.	No, extended (0.25)

Community Leaders

Community and religious leaders can play key role, but their potential is not yet realised. Child protection systems mapping in six provinces of Indonesia suggested that community leaders *(Tuha Peut, Tuha Delapan)* and religious leaders *(Imum Meunasah, Imam Mesjid)* have a strong potential to stimulate behaviour change, especially attitudes to domestic violence and violence against children. However, this influence was described as theoretically possible, while there was no mentioning of any current activities to actually engage in strategic behaviour change *(UNICEF Indonesia, 2012).*

Faith-Based Organisations

Faith-based NGOs are very important players. It is difficult to overestimate the impact of faith-based NGOs on child protection in Indonesia. As was mentioned previously, private religious organisations run almost all of the country's alternative care facilities, hosting hundreds thousands of children (Save the Children, 2009). With very weak regulation from the authorities, these NGOs have a strong say in the way they provide services, as well as in how they communicate with the parents, local leaders and the children themselves. At the central level, NGOs including faith-based organisations are also instrumental in designing nation-wide policies and strategies.

However, lack of oversight means that messages and information shared with the public through faith-based groups is not necessarily coherent and positive. First, as was discussed earlier, many of these organisations actually engage in recruiting children into residential care, thereby contradicting child protection policies. Moreover, episodes of neglect, abuse and exploitation in some of the institutions are also widespread *(Save the Children, 2009).*

The Government does engage with the religious organisations in an effort to strengthen their positive influencing role. Registration of the NGOs with the Ministry

of Social Affairs is used as one way to cooperate with them and monitor their approaches. The bulk of Muslim institutions operating under the *Muhammadiyah* (one of the largest Muslim organisations in the country) were registered and coordinated through an internal database with a view of promoting the role of family care *(Save the Children, 2009).*

Other Influential Agents

The Government acknowledgesthat it should co-operate more actively with celebrities and prominent figures to send positive and consistent messages to the public. Examples of influential figures play a very important role in shaping public views in Indonesia. However, strategic engagement of such figures – e.g. celebrities - into child protection communication has been weak. Iconic personalities are often sending wrong signals to the general public. One example is drug use, with many young adults admitting that their decision to use drugs was influenced by their favourite public figure, and a range of celebrity drug arrests headlined by the media lamented by the public *(Oktofani, 2013).* While engaging celebrities into positive child protection influencing campaigns has been widely practiced by international donor agencies, it was not yet taken up by the authorities in Indonesia.

"We can recall the example of family planning. Previously, our model was the civil servant, the officer. These people had a kind of limitation on the amount of children in their family: if they had more than two, they didn't receive the allowance. And so, everybody was imitating civil servants and tried to only have two children. But now everybody's models are not civil servants, but celebrities. The celebrities marry in young age, marry and divorce, and then we imitate it. And also some religious leaders, if people compare that they have many children and many wives. With civil servants and family planning, it was consistent policy message, but now there is inconsistency between the intent of the government and the models that people see. But consistency in communication is very important, consistency of examples for people to follow. If we want any good change of attitude, we cannot make the society confused." (FGD member)

Children

Child participation in strategic communications is palpable only at the level of individual pilots. Child participation is an important objective in Indonesia's child protection policies, and the Government supports a range of programs to help children engage in creating and sharing knowledge. The Ministry of Women Empowerment and Child Protection has established a National Children's Forum, which is a platform for children to express their views, concerns and suggestions. Similar forums were created at the provincial level in some of the communities (Aceh Besar, Polewali Mandar, Sikka, Pemalang, Brebes, Klaten, Situbondo, Bondowoso) *(UNICEF, 2013).* Indonesia is pioneering advanced methods of engaging children into generation of policies: in a pilot project in West Kalimantan and Maluku the Ministry of Social Affairs worked in six care homes on a child-led research, where children actually took part as members of research team to identify issues and raise concerns which were never addressed previously (e.g., corporal punishment in institutions and in schools). However, much work is still needed to make sure that children's inputs into public communications are meaningful and well heard, rather than tokenistic, and that community-level models are sustainably rolled out *(Save the Children, 2010)*

ANNEX 1

SUMMARY OF SCORES

DOMAIN 1. POLICY PROCESS

INDICATOR 1.1.
CLARITY AND CONSISTENCY OF CHILD PROTECTION POLICY PRIORITIES

Regulatory framework is capable of instilling collective sense of direction in child protection reforms:	C(1.75)
• The country has ratified UN conventions relevant to children's rights to protection[1];	Yes, restricted (0.75)
• The Government has a national child protection policy statement or national framework document, supported with respective plans of action with clear mid-term priorities;	Yes, restricted (0.75)
• National programmatic documents for child protection are supported with coherent sub-national legislation or consistent guidelines for implementation at relevant sub-national levels;	No (0)
• Child protection priorities are known and understood by the majority of stakeholders throughout the system.	No, extended (0.25)

INDICATOR 1.2.
COHERENT LEGAL SPECIFICATION OF KEY CONCEPTS

The country's legislative environment is characterised by the following:	C (1.5)
- The country's Constitution contains provisions on child rights, consistent with CRC and other global and regional covenants and instruments, allowing application of all their provisions and principles;	Yes, restricted (0.75)
- Legislation is drafted and regularly revised based on ex ante whole-of-government consultations on key controversial issues to reach political consensus and bridge sector-specific regulatory agendas. There is a clear mechanism to administer such policy dialogue.	No, extended (0.25)
- National legislature has sufficient analytical support and capacity to follow child protection policy initiatives and to ensure approval of appropriate national laws;	No, extended (0.25)

INDICATOR 1.3.
STRATEGIC PREPAREDNESS TO POTENTIALLY VOLATILE ENVIRONMENT

Systems for crisis prevention and recovery include the following:	C(1.0)
œ The Government has developed disaster and emergency preparedness strategies and action plans for management of multiple risks that have significant impacts on children in times of natural hazard or conflict situations	Yes, restricted (0.75)
œ Inter-agency mechanisms are established for addressing child protection risks in case of emergencies and disasters (coordination and data exchange systems, joint guidelines, response plans and training for staff across relevant sectors)	No, extended (0.25)
œ Preventive measures are based on risk assessments to identify and build capacities of the most vulnerable areas and population groups.	No (0)

INDICATOR 1.4.
POLICY COORDINATION FOR CHILD PROTECTION

Availability and effectiveness of policy coordination structures:	B (2.75)
There is a Parliamentary or other oversight body on child protection which has a clearly defined mandate, authority and resources to implement it, and meets regularly;	No, extended (0.25)
There is an inter-ministerial mechanism that coordinates child protection activities, which has a clearly defined mandate and institutional leverage, meets regularly and is attended or followed up by senior officials;	No, extended (0.25)
There is a mechanism at the national level for the government and civil society to coordinate on child protection policy, legislation and programming;	Yes (1)

INDICATOR 1.5.
POLICY MONITORING

Policy monitoring framework for CP includes the following:	C (1.0)
· National programmatic documents for Child Protection are supported by monitoring and evaluation framework which is integrated into the policy cycle	Yes, restricted (0.75)
· Monitoring and evaluations undertaken to assess Child Protection policies generate practical feedback to policy makers	No, extended (0.25)
· Analysis undertaken to review policies contains evaluation of policy impact	No (0)
· There are clear processes and responsibilities for collecting data required for monitoring and evaluation, making sure that analysis covers sufficient scope of issues and produces reliable results	No (0)

INDICATOR 1.6.
SYNERGIES ACROSS SECTORS

The following arrangements have been achieved:	C(1.5)
· Existing social protection and employment measures are designed in ways which incorporate and reinforce child protection impact and are sustainable in the long-run	No, extended (0.25)
· In the ministry with lead Justice role and the ministry with lead Interior Role, adequately resourced structural units are specifically dedicated to issues related to specific vulnerabilities faced by children within the justice system and policies have been developed to provide a range of preventative, promotional and protective services for children in conflict with the law	No, extended (0.25)
· Health sector strategies and programmes explicitly recognise roles and responsibilities of health professionals in safeguarding children, helping to ensure appropriate and timely interventions, awareness raising and data collection	Yes (1)
· Education sector policies include guidance and support to teachers, school governors and volunteers to support child protection within education settings (codes of conduct, procedures for dealing with protection concerns etc)	No (0)

INDICATOR 2.1.
STRATEGIC BUDGETING BASED ON REALISTIC COSTING

The country's budgeting system includes the following:	C(1.25)
· The Government operates under a multi-year financial forecast, on a rolling annual basis, which includes expenditure estimates for child-protection related programmes;	No, extended (0.25)
· Links between multi-year estimates and subsequent setting of annual budget ceilings for child protection are clear and differences explained;	No, extended (0.25)
· The Government's child protection strategy is costed, these costs are explicitly considered during the budget process and feed into agreed priorities in resource allocation;	No, extended (0.25)
· Policy-makers in child protection have regular supply of data which allows them to track utilisation of assets, expenditure and budget execution by child protection programmes and facilities	No, extended (0.25)

INDICATOR 2.2.
TRANSPARENCY AND CREDIBILITY OF BUDGET ALLOCATIONS

Financial planning system allows spending agencies to be certain that budgeted allocations would be actual available during the year. This is reflected in the following:	B(2.0)
· Variance in composition of expenditure out-turn compared to original approved budgets (excluding contingency items) across budget heads (PEFA PI-2);	PEFA D (0.0)
· The stock of expenditure arrears in child-related spending is low and decreasing;	PEFA B+ (0.75)
· Budget formulation and execution is based on classification which complies with GFS/COFOG standards and has sufficient detail to produce consistent documentation for child-protection expenditure analysis;	PEFA A (1.0)
· Spending units (MDAs – ministries, departments and agencies) operate under reliable cash flow forecasts, effective system of expenditure commitment controls and are regularly audited.	No, extended (0.25)

INDICATOR 2.3
SPENDING FLEXIBILITY

The following rules help spending agents to use funds flexibly to ensure most efficient delivery of services:	D (0.25)
· Child protection budgets represent a balanced mix of line items and lump sum (discretionary) appropriations, and key spending agents have sufficient flexibility to re-allocate funds between budget lines to ensure effective child protection responses at their level, including in cases of unforeseen events and contingent financial need;	No (0)
· There are clear, transparent and practical rules for in-year budget adjustment and revision, and key spending units are able to carry over unused funds from one fiscal year to another, subject to due checks;	No, extended (0.25)
· There are provisions in the PFM system which allow spending units to keep efficiency gains and use them for other purposes;	No (0)
· The budget includes sufficient contingency funds which could be quickly mobilised in cases of emergencies with child protection risks	No (0).

INDICATOR 2.4
LACK OF FINANCIAL INCENTIVES TO PARTICULAR SERVICE TYPES

Spending units have tools and right incentives to invest in those services which serve best interest of the child in any given context:	D (0.75)
· Child protection financing framework is neutral with regard to types of child protection services and contains to financial incentives that have detrimental effects on children, for example, capitation payments that provide incentives to place children in residential care;	No (0)
· There are no regulatory obstacles or financial penalisation for spending units to engage in alternative cost-beneficial solutions in child protection such as contracting out services.	No (0)
· There is a clear institutional division between purchases and providers in supplying publicly funded child protection services	No (0)
· Arrangements are in place to support competitive procurement of front line child protection services to serve best interest of the child rather than particular service providers	Yes, restricted (0.75)

INDICATOR 2.5
VALUE FOR MONEY AWARENESS

Arrangements are in place to ensure that the Government procures services which bring maximum benefit to childrenfor any amount spent within the available resource envelope:	D(0.25)
· Child protection strategies are supported by analysis of fiscal constraints and response scenarios related to the risks of fiscal consolidation;	No (0)
· Program implementation plans in Child Protection include measurable benefit targets;	No, extended (0.25)
· Child protection strategies are supported with cost-benefit analysis of alternative policy options;	No (0)
· The Government undertakes performance audit to assess child protection impact of programme implementation.	No (0)

INDICATOR 2.6
EFFECTIVE STRUCTURES FOR DECENTRALISED FUNDING

Financial relations between tiers of spending units / levels of government engaged in child protection are based on the following:	C (1.25)
· Multi-level financing structure, regardless of the specific decentralisation model, is supported by functional tools to ensure that decentralised funding of child protection is effective, equitable and sustainable ("central oversight / intervention and local autonomy / accountability are in functional balance")	No (0)
· The central government accurately reimburses financial costs imposed on sub-national budgets by central child protection policies ("realistic funding, vertical gap coverage")	Yes (1)
· Horizontal allocation of transfers linked to child protection expenditures among sub-national governments is determined by transparent and rules-based system ("fair funding, horizontal gap coverage")	No, extended (0.25)
· Public financial management capacities at sub-national level are sufficient for ensuring effective implementation of any delegated functions related to child protection	No (0)

DOMAIN 3. HUMAN RESOURCE MANAGEMENT

INDICATOR 3.1.
STANDARDS FOR CHILD PROTECTION PROFESSIONALS

Regulatory framework for Child Protection includes:	C (1.75)
· a definition (in training or other institutions or in policy) on the professional responsibilities, skills & required training & standards to which social workers will be held accountable;	No, extended (0.25)
· within the above: specific requirements and standards for social workers working with children;	No, extended (0.25)
· a certification, accreditation or licensing process for social workers and other professionals who work within CP;	No, extended (0.25)
· an independent and active professional association of social work professionals.	Yes (1)

INDICATOR 3.2.
PERSONNEL ACCOUNTING AND PAYROLL CONTROL

The Government is equipped with the following tools to oversee activities of the child protection work force:	C (1.5)
· Agencies involved in child protection support personnel databases of child protection staff which are directly linked to payroll, which are regularly updated and reconciled;	Yes, restricted (0.75)
· There is a system of payroll audits to identify control weaknesses and ghost workers;	Yes, restricted (0.75)
· Average absenteeism rates in representative samples of different cadres of staff working in child protection are low and decreasing;	No (0)
· There is a robust system of support and oversight of the child protection activities undertaken by the paraprofessionals (such as community volunteers).	No (0)

INDICATOR 3.3.
CONTINUITY OF POLICY COMMITMENT, KNOWLEDGE AND SKILLS ACROSS ELECTORAL CYCLES

Governments at all levels developed mechanisms to ensure continuity in policy implementation and institutional memory between electoral cycles, including:	C (1.0)
· Civil service regulations which ensure against excessive staff turnover following elections;	No, extended (0.25)
· Arrangements for provision of non-partisan child protection policy advice and guidance to elected officials at all levels;	No, extended (0.25)
· Capacity building covering key child protection issues and policy updates for newly elected officials and newly recruited staff (including manuals and other written materials);	No, extended (0.25)
· Documentation of experience and working practice of elected officials at the end of their term which could be used as guidance for the future.	No, extended (0.25)

INDICATOR 3.4.
PROFESSIONAL TRAINING FOR PERSONNEL WORKING ON CP SERVICE DELIVERY

Education and Continued Development system contains:	B (2.25)
· A university degree programme in Social work whose curriculum includes courses on social services, developmental issues, protective and preventive topics, and therapeutic interventions;	Yes (1)
· A vocational qualification programme in social work or child development whose curriculum is approved by relevant authorities;	Yes (1)
· A system for continued education and development for social work professionals;	No (0)
· Specific training on child protection for education workers (such as teachers), health professionals, and for staff within the Ministries with lead Interior & Home Affairs role and lead Justice roles on Children&Justice.	No, extended (0.25)

INDICATOR 3.5.
PERFORMANCE EVALUATION

Human resource management rules include the following:	C (1.75)
· Staff working in child protection have written, sufficiently detailed and regularly revised job descriptions which accurately reflect their duties and responsibilities;	Yes, restricted (0.75)
· There is a formal system for assessment of staff performance, which is clearly linked to job objectives and to reward levels received by staff (salaries, promotion chances, training opportunities or other benefits);	Yes, restricted (0.75)
· There are transparent rules to encourage extra effort by financial or non-monetary rewards;	No, extended (0.25)
· There is a robust system to sanction poor performance.	No (0)

INDICATOR 3.6.
ABILITY TO ATTRACT AND RETAIN QUALIFIED STAFF FOR CHILD PROTECTION

The Government attracts and retains qualified child protection professionals through ensuring the following:	C(1.0)
· Child protection duties and posts provide level of financial compensation and career opportunities which are comparable to other posts in same sectors;	No (0)
· Average remuneration of staff working on child protection (across all ministries/sectors) is generally comparable to average national wages;	Yes, restricted (0.75)
· Broad public considers social work to be a relatively well respected, prestigious and desirable profession;	No (0)
· There is a reasonable level of personnel stability on frontline and managerial posts in child protection, resulting from low non-retirement turnover and balanced transfer policies.	No, extended (0.25)

DOMAIN 4. INFORMATION MANAGEMENT

INDICATOR 4.1.
USE OF EVIDENCE IN THE POLICY PROCESS

Analysis of major trends in child protection contexts to identify key vulnerabilities and priorities for action manifests in the following:	C (1.25)
· Key Child Protection programmatic documents (strategies, policies, white papers, laws) utilise data from key national surveys (CDC, MICs, DHS, ILO-IPEC etc);	Yes (1)
· Key Child Protection programmatic documents contain analysis of trends in administrative data (service types and coverage, profile of key risk groups);	No, extended (0.25)
· Analysis of trends in child protection data is referenced in budget proposals and medium-term expenditure plans;	No (0)
· Key ministries with responsibilities for CP receive training and capacity building in data management, statistical analysis and evidence-based policy-making.	No (0)

INDICATOR 4.2.
QUALITY OF CP DATABASES

Data on child protection recorded by national information systems:	D (0.75)
· Uses consistent and standardised definitions and concepts which are appropriate for statistical purposes, allow tracking performance of existing CP programmes and facilities (within and across sectors), and include sufficient disaggregation by age, ethnicity, gender, and disability status.	No (0)
· Covers variables sufficient to support decisions on most of the specific national CP policy priorities (e.g. migration-related risks, HIV, domestic violence, etc).	No, extended (0.25)
· Includes data which describe prevalence of risk factors (root causes of protection vulnerability); prevalence of cases (magnitude of protection problems); case management and coverage; and evaluation (effectiveness of interventions).	No, extended (0.25)
· Is verified and monitored to ensure that data is consistent and robust.	No, extended (0.25)

INDICATOR 4.3.
RESPONSIVENESS TO CHANGING POLICY DEMANDS

Data collection systems have the following degrees of flexibility:	B (2.25)
· Legislative framework allow policy makers to request additional data collection where necessary for policy purposes and operational procedures are set up to enable such requests;	Yes (1)
· Procedures are set up to enable data producers to respond to changing data requests (flexible budget allocations, authority to update data collection plans);	Yes (1)
· New information follows clear structures and standards, and modification resulting from new policy demands do not jeopardise data quality;	No, extended (0.25)
· Effective collection of information on children at risk for the purposes of collaboration between public and/ or external agencies in emergency contexts.	No (0)

INDICATOR 4.4.
DATA CONSOLIDATION AND EXCHANGE

Management of data related to CP is characterised by the following:	C (1.25)
· Collection and exchange of data relevant to CP iscoordinated across agencies at the national level sufficiently to enable analysis and policy-making for CP;	No, extended (0)
· Reliable and consistent mechanisms are in place to channel sub-national data to the central level;	No, extended (0.25)
· Tasks and responsibilities of actors involved in data collection and management are clearly specified;	No (0)
· Time intervals between child protection events/trends and their identification and reflection in databases are relatively low.	Yes (1)

INDICATOR 4.5.
LINKAGES BETWEEN DATA PRODUCERS AND DATA USERS

"Fitness to use" of the collected data on CP, including the following quality components:	B (2.5)
· Ability of key data users to easily ascertain existence of information and access it via a sustainable medium.	Yes, restricted (0.75)
· Explicit reference to documentation on data quality and methodology in all released data;	Yes, restricted (0.75)
· Regular meetings with key users and producers of statistics and working in partnership with them	Yes, restricted (0.75)
· Regular methodological updates to increase relevance and timeliness of released information to incorporate feedback from data users.	No, extended (0.25)

INDICATOR 4.6.
LINKS TO NATIONAL RESEARCH AGENDA FOR CHILD PROTECTION

Collection and processing of child protection data engages non-state actors through the following arrangements:	C (1.75)
There is a national research agenda on child protection issues which identifies priorities for improving data on child protection problems and key risk factors;	No, extended (0.25)
Mechanisms are established for regular provision of research and evidence based analysis to key decision makers in Child Protection	Yes (1)
There is a mechanism for research institutions to share with the government key source data for their research (in addition to the analytical materials) to ensure better research quality and joint effort in developing child protection evidence base;	No, extended (0.25)
The Government helps research institutions to access key child protection data to facilitate their analysis.	No, extended (0.25)

DOMAIN 5. QUALITY ASSURANCE

INDICATOR 5.1.
QUALITY GUIDANCE AND STANDARDS

Regulatory framework for child protection includes the following:	C (1.25)
an entity within Government which oversees organisations working in child protection and the quality of their services, including non-state organisations;	No (0)
a nationally recognised set of essential standards and guidance for various levels of quality in social care services, ensuring their safety, effectiveness and responsiveness to the best interest of the children;	No, extended (0.25)
a mandatory procedure to license organisations that directly care for children (state and non-state);	Yes, restricted (0.75)
pre-accreditation testing of competence and experience.	No, extended (0.25)

INDICATOR 5.2.
CREDIBILITY AND REGULARITY OF INSPECTIONS

The system of quality oversight is characterised by the following:	D (0.5)
Most entities involved in provision of services directly to children (state and non-state) are regularly inspected by authorised quality experts;	No (0)
Inspections include both announced and unannounced visits, and include analysis of the records, examination of incidents, consultations with the children, and observing staff in their day-to-day work.	No (0)
There is a clear system to collect and respond to complaintsfrom children on alleged episodes of child protection violations in service provision;	No, extended (0.25)
There is a clear whistle-blowing policy and guidance for social workers to report malpractice, including adequate protection to whistle-blowers.	No, extended (0.25)

INDICATOR 5.3.
ENCOURAGEMENT OF INNOVATION

The following mechanisms are in place to encourage innovation:	B (2.25)
· Child Protection programmatic documents and forums include specific discussion on the balance of risk and innovation in service delivery;	Yes (1)
· Registration process for service providers and the system of standards is sufficiently flexible and does not discourage innovation;	No, extended (0.25)
· The Government has set up specific mechanisms (earmarked transfers, working groups, pilot projects) to stimulate development of new services and programmes for child protection, addressing new protection risks, challenges and vulnerable groups of finding more effective solutions for existing problems;	Yes, restricted (0.75)
· Mechanisms have been established for exchange of good practice and new solutions across service providers and wider child protection stakeholders;	Yes, restricted (0.25)

INDICATOR 5.4.
EFFECTIVE GATE-KEEPING AND REFERRALS

At each stage of service provision to vulnerable children, the system of child protection includes:	D (0.25)
· clear and transparent referral policies and procedures;	No, extended (0.25)
· an agency (or inter-agency structure) responsible for coordinated assessment of the child's situation, with sufficient institutional capacity to ensure that the child receives further support which serves his/her best interest;	No (0)
· a continuum of services available to respond to diverse child protection situations, preferably from a range of alternative providers	No (0)
· information exchange to keep track of the range of services available to support children and their families;	No (0)

INDICATOR 5.5.
ENFORCEMENT AND FOLLOW-UP

Rules of action for providers working directly with children who fail to meet essential standards of quality are characterised by the following:	C (1.0)
· A robust system of sanctions for malpractice which is consistently applied;	No, extended (0.25)
· Provisions for tougher actions for cases of serious failure;	No, extended (0.25)
· Mechanisms to check for compliance with recommendations resulting from quality inspections;	No, extended (0.25)
· Mechanisms to provide professional supervision for social workers to guide and support the quality of their operations.	No, extended (0.25)

INDICATOR 5.6.
INDICATOR 5.6. INTEGRATION WITH COMMUNITIES

Quality is ensured by maximum integration of communities in service provision, reflected in the following:	D (0)
· Most services and programmes available to vulnerable children involve community and voluntary sectors in the planning, development and implementation of child protection;	No (0)
· There are specific community development and outreach programmes to promote child protection policies with account to local or regional priorities;	No (0)
· Mechanisms are in place to ensure that vulnerable children remain close to their homes for as long as possible;	No (0)
· Restorative juvenile justice is done through responsible policies which align the needs of young offenders with social welfare capacities in the communities.	No (0)

DOMAIN 6. PUBLIC COMMUNICATIONS AND INFLUENCING

INDICATOR 6.1.
CLARITY OF CHILD PROTECTION COMMUNICATION STRATEGY

Public communication and influencing plans in child protection are expressed in the following:	D (0.25)
· The Government has undertaken evidence-based diagnostic of any attitudinal factors and risks in child protection;	No, extended (0.25)
· The Government has a communication strategy for child protection, which outlines key objectives, messages, target audiences, influencing methods and mechanisms to obtain feedback;	No (0)
· Communications objectives in child protection includes measures to assess and bridge any gaps between statute law and religious, customary and traditional law;	No (0)
· Messages and action points from the agreed communication strategy are incorporated in the on-going programmes and measures in child protection related fields.	No (0)

INDICATOR 6.2.
AVAILABILITY OF EVIDENCE ON VALUES, ATTITUDES, CUSTOMS AND TRADITIONS

Communications are supported by the following:	C (1.5)
· Number of barometric or other attitudinal surveys conducted over the last 5 years to assess and measure public attitudes towards child abuse, exploitation, and violence is positive and growing;	No, extended (0.25)
· Number of surveys over the last 5 years to assess and measure outcomes for children related to key specific CP priorities in country (e.g. violence against children) are positive and growing;	No (0)
· Number of national studies related to cultural context, traditional beliefs and attitudes to child protection is positive and growing;	Yes (1)
· Any gaps and collisions between child protection agenda and customary laws are well-researched and clearly formulated; research is underway to design ways to bridge existing divergences.	No, extended (0.25)

INDICATOR 6.3.
ALERTNESS TO CHANGING RISKS AND VULNERABILITIES

Child protection communications include the following:	D (0)
· Communication strategies are regularly updated to incorporate new child protection risks;	No (0)
· Programmes in child protection communications cover new and emerging vulnerabilities (e.g. related to digital technologies, new trends in tourism, climate change);	No (0)
· Public communication and awareness raising plans addressing key child protection concerns have been prepared specifically for key relevant intermittent natural emergencies;	No, extended (0.25)
· Communication and influencing programmes to prepare for child protection risks resulting from potential social disruptions (conflict, civil disorder).	No (0)

INDICATOR 6.4.
INTERACTIVE AND ON-GOING ENGAGEMENT WITH KEY AUDIENCES

Implementation of the child protection communications strategy includes:	D (0.25)
· A breakdown of strategic communication objectives into smaller short-term and more manageable tasks ("the sprints");	No (0)
· Regular discussions of communications agenda and context by the coordination structures in child protection ("the scrum") resulting in correction of messages and approaches;	No, extended (0.25)
· Activities to keep track of the changing communication context and to involve inputs from key audiences (children, parents, community-leaders, faith-based organisations, etc);	No (0)
· The process of approval of fresh communication content is straightforward and transparent.	No (0)

INDICATOR 6.5.
BUILDING ON EXISTING POSITIVE VALUES

Communications and behavior change strategies in Child Protection incorporate existing positive values and achievements:	C (1.5)
· Messages and behaviour change programmes clearly link to current positive views on children, society, and human rights;	Yes, restricted (0.75)
· Communication programmes identify barriers to behaviour change and offer information and user-friendly solutions on how these could be overcome;	No (0)
· Communications offer a range of positive consequences of stronger protection for children;	No (0)
· Government agencies use a range of best practice models, cases and positive deviance examples to demonstrate how child protection issues could be positively resolved.	Yes, restricted (0.75)

INDICATOR 6.6.
INVOLVEMENT OF KEY OPINION LEADERS

The Government cooperates with the following stakeholders with the aim of promoting positive attitudes in child protection:	D (0.5)
· Community leaders;	No (0)
· Faith-based organisations;	No, extended (0.25)
· Other influential organisations and individuals;	No (0)
· Children themselves.	No, extended (0.25)

SUMMARY OF RECOMMENDATIONS

Domain	Recommendation
Policy process	· The National Task Force on Child Protection led by the Bappenas could be a viable platform for the participating actors to develop a practical model for influencing policy processes under the remits of the respective agencies to ensure that cross-sector decisions are followed-through. As shown by previous experience, working-level mechanisms may have a stronger impact compared to additional official structures, but it would have to rely on a joint agreement on roles and responsibilities, and a well-defined action plan. The Task Force might also require specific capacity building to develop such a working-level terms of reference and plan, as well as for implementing it at the level of individual agencies (for example, in terms of communicating inter-agency decisions to senior management and advocating them with due evidence and argument).
	· Coordination activities should specifically include consultations on cross-cutting and conflicting policy areas. Specific preparatory work is needed for mapping stakeholder positions on such agendas and on involving in-house and non-state experts in supplying data and analysis to support technical discussion.
	· The Task Force and the MoWECP require a clear, technically sound position regarding the changes that need to take place in intergovernmental regulations in order for the decentralised system to become suitable for effective child protection. This position should cover issues which transcend child protection as such but which have profound impact on sub-national capacities to protect children (such as horizontal fiscal equalisation mechanism and the division of responsibilities across government tiers). Preparing such position would require specific technical support. It could then be used in a targeted way to influence the national dialogue on decentralisation reforms.
	· Positive experience of the PKSA deserves to be well documented and promoted both within Indonesia for the benefit of future roll-out and internationally for the purposes of regional experience sharing.

Domain	Recommendation
Public Financial Management	· Child protection stakeholders (line ministries, NGOs, academia) should start finding ways to join the national PFM reform process, advocating the need for stronger financial flexibility. Experience shows that while such reforms take a long time to materialise, they could be facilitated by sector-level evidence on inefficiencies resulting from spending rigidities and how these lead to slippages in implementing national policies.
	· Most previous reports on child protection in Indonesia unanimously call for removal or reformation of the BBM. The Task Force may commission a focused study on why it has been challenging to implement this recommendation so far, and use it to develop a practical roadmap to achieve the change. Systemic reformation of the BBM could be used as one of the programmatic result indicators to motivate policy interest to this highly disturbing problem.

Domain	Recommendation
Human Resource Management	· Existing child protection trainings offered to civil servants should be duly accredited. Where possible, partnering with distance-education providers could be a very useful tool to extend coverage.
	· Building up public recognition of the social work profession is a long process but important practical steps should be taken as soon as possible. This includes: (1) Identifying (and perhaps adding) and promoting elements of the current professional standards which require specific education and which are internationally competitive so that social work is not perceived as a career which limits opportunities to work abroad; (2) Advocating for specific ministerial policies against de-facto discrimination of child-related posts (affecting remuneration, promotions, and transfers). Even though there is no explicit legal provision which would dictate such difference in institutional status, it nevertheless exists as a strong perception across civil service. (3). Reformation of the staff transfer procedures, primarily through ensuring a better link between HR departments and sector unit heads; requesting higher transparency for the process (including better communication to the staff).
	· Strategically, the child protection stakeholders should aim at being included into the wider process of civil service reform, advocating for stronger reflection of performance in the salary structure. As a shorter-term goal, a system of non-financial rewards could be develop specifically for the child protection sector, covering both national and sub-national tiers.

Domain	Recommendation
Information Management	· A child protection module could be integrated into BPS cyclical surveys such as the 3-yearly socio-economic survey; particularly with regard to prevalence and attitudinal components.
	· Professional development plans of ministerial staff with primary responsibility for policy development would benefit from including training enabling and motivating them to incorporate data analysis into their routine work.
	· It would be strategic to develop an overarching roadmap for building a practical model of child maltreatment surveillance including an underlying information management approach. The model should include a clear division of tasks and responsibilities across players in child protection, including data consolidation, interpretation and follow-up.
	· Current players in child protection would benefit from active cooperation with the BPS meta-data portal, which could become a short-term solution for the currently fragmented child protection MIS.
	· Strategic planning in child protection might include a coordinated research agenda (including any data gathering needs, e.g. related to abuse prevalence) which would be promoted across the academia and donors. A possible platform for this work is the Children in Crisis Network currently developed by the Bappenas, Depsos (Ministry of Social Welfare) and the UNICEF, which is already functioning as a platform for coordination across academics, practitioners and policy makers in child protection since 2008. However, the ownership of this strategic research request should remain with the governments and should be linked to coordinated policy priorities in the area.

Domain	Recommendation
Quality assurance	· The Government needs a comprehensive (perhaps sampled) assessment on the progress in enforcing the inspection mechanism of the 2011 Child Care standards. In particular, a baseline understanding is required on whether there is any progress in monitoring institutions beyond those registered with DEPSOS, whether current inspection include checks at the level of service providers (rather than consolidated analysis by local authorities); and what is the exact process of inspections currently taking place. Informed by these findings, the Government needs to develop a practical tool to address identified barriers. This may include: establishing an independent professional oversight inspectorate to oversee application of care standards in child care institutions; development of sampled policies and standard procedures to handle complaints (the 2011 Standards require institutions to develop such policies but the skill seems to be new and challenging); revision of the whistle-blowing provisions of the Standards to protect safety and confidentiality of the reporting staff.
	· The current referral system would benefit from a review. While remaining flexible and contextual at the sub-national level, it could still be streamlined by introducing a national set of guidelines, including a clearer division of responsibilities, operating procedures for establishing particular local networks (i.e. guidelines on running initial consultations, sampled versions of memoranda of understanding etc). Such guidelines could be developed on the basis of the experience of the current pilots in some of the provinces.

Domain	Recommendation
Public communications and influencing	· The Government's practical work on behaviour change, awareness raising and information sharing should be linked more actively to the massive academic research already ongoing in this area.
	· This assessment has discovered a lot of interest and support among the stakeholders towards developing a comprehensive communications strategy for child protection, based on modern public communication technologies and influencing.
	· The key component of a good communication plan(s) should rest with a sound evidence-based diagnostic analysis. Key messages in the current strategies which refer to attitudes in child protection require additional research, including through better engagement of the academia, as discussed previously. A model for this could be the methodology and materials developed by the Puska PA UI.
	· Any of the current issues related to the implementation of child protection policies within the mixed legal system would benefit from a more open and more technically rigorous academic debate. The Government should lead in this process and make sure that the outcomes of the analysis are taken on board in its legislative and policy drafting.
	· Use opportunities of cooperating with the BPS, academia and international donors to prioritise regular collection of attitudinal data.

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