

ANALYSIS OF THE ROLE OF THE PALANGKA RAYA CITY SOCIAL SERVICE IN HANDLING THE CRIME OF CHILD NEGLECT IN PALANGKA RAYA CITY



Istiqomah¹

Universitas Palangka Raya, Palangka Raya, Indonesia
istiqomahsa1@gmail.com

Aristotle²

Universitas Palangka Raya, Palangka Raya, Indonesia
aristoteles@law.upr.ac.id

Claudia Yuni Pramita³

Universitas Palangka Raya, Palangka Raya, Indonesia
claudiayuni@law.upr.ac.id

Abstract

This study aims to analyze the crime of infant neglect in Palangka Raya City based on the provisions of the Criminal Code (KUHP) and examine the role of the Social Service (Dinsos) as the implementer of child protection policies. Infant neglect is categorized as a crime against life and health, regulated in Articles 304–308 of the Criminal Code, which affirms the existence of legal responsibility for parents or those who are obliged to take care of children. The study found that the Social Service has a strategic role in handling cases, including emergency rescue, social assessment, psychosocial recovery, and cross-sector coordination with law enforcement officials. However, implementation in the field still faces various obstacles such as limited professional personnel, safe house facilities, and weak coordination between institutions. Therefore, this study emphasizes the importance of synergy between social and legal policies, as well as institutional strengthening of the Social Service, so that the principle *of the best interest of the child* can be realized in law enforcement at the regional level.

Keywords: Infant Neglect, Criminal Code, Social Service, Child Protection, Palangka Raya City

INTRODUCTION

The basic concept of child protection and parenting leads to the ability of parents, families, and the environment to maintain optimal child growth and development through a parenting approach. Children need mental stimulation (honing) which is the forerunner in the learning process (education and training), psychosocial development, intelligence, skills, independence, creativity, morals, personality, and productivity. Therefore, parenting patterns need to integrate honing, loving, and nurturing consistently through age-appropriate stimulation, warm communication, and a safe learning environment so that children's potential develops optimally.

Child protection is a service that must be carried out by law enforcement officials and security forces to ensure children's safety, both physical and mental. This mandate affirms the role of the state as the primary responsible party that prevents, acts on and restores any threat or violence against children. The implementation of protection is carried out comprehensively through prevention, case handling, psychosocial assistance, and social recovery and reintegration. These efforts must be coordinated with social services, health, education, and the community so that children's rights are fully fulfilled. All actions are based on the principles of the best interests of the child, non-discrimination, and respect for the dignity of the child.

The phenomenon of child neglect is one of the social and legal problems that still often occur in various regions in Indonesia. This crime reflects the existence of fundamental problems in the fulfillment of children's rights, ranging from the right to live, grow, develop to obtain protection from violence and neglect as stipulated in Law of the Republic of Indonesia Number 35 of 2014 concerning Child Protection. Especially in Palangka Raya City, the incident of infant or child neglect has been reported several times by the media, causing public concern and affirming the urgency of the role of child protection institutions in providing treatment to victims while supporting the legal process against the perpetrators (Rachma et al., 2023).

Handling the Crime of Child Neglect cannot be imposed only on law enforcement officials, but requires the involvement of multiple parties, including regions, social services, medical personnel, and civil society organizations. The role of the Social Service has a strategic position to carry out the functions of advocacy, monitoring, rehabilitation, and community education to prevent the recurrence of similar incidents. However, in practice, the effectiveness of these institutions often faces obstacles in the form of limited resources, coordination between institutions that is not optimal, and a lack of public awareness about the importance of child protection.

Research on Handling Child Neglect has been extensive and several journal data have been found conducted by other researchers, with the title through the study "Analysis of the Crime of Infant Abandonment in the Perspective of Criminal Law"^(Anisah, 2022) which focuses on the normative aspects of the Criminal Code, in addition, a study with "Legal Protection of Children Victims of Violence and Neglect"(Salwa et al., 2021) discussing children's rights based on the Child Protection Law discussing children's rights based on the Law of the Republic of Indonesia on Child Protection.

In addition, other studies such as "Responsibility of Baby Abandonment Perpetrators from Extramarital Relationships"^(Sinaga & Naibaho, 2024), "Implementation of Child-Friendly City Policy in Indonesia"(Satia et al., 2022), "Law Enforcement against Baby Abandonment Perpetrators in Indonesia"^(Pranata et al., 2021), the discussion of several titles emphasizes more on

aspects of social services, macro policies, and the criminal investigation process. These studies are important as a basis for understanding, but have not yet integrated institutional analysis with local case studies. Therefore, this article is here to complement the previous study by focusing on the role of the Social Service for the protection of children in Palangka Raya City.

Based on several local media data in Central Kalimantan, namely *Dayak News*, *Melawi Terkini*, *Daily Berkat*, and *Central Kalimantan Content*, it was found that as many as 4 data on child neglect occurred from 2022 to 2024. One of the cases reported in 2022 revealed a female student who allegedly threw away her baby at birth on Jalan Bukit Raya V (Melawi Terkini, 2022¹), which was even reconstructed by the Palangka Raya Police with 16 scenes. The following year, in 2023, a similar case resurfaced when a baby girl was found dumped on the terrace of a resident's house on Jalan B Koetin. The case attracted public attention because the baby was found alive and immediately rescued by the medical team, while the police examined four witnesses to uncover the perpetrator (Konten Kalteng, n.d.).

The author chooses to focus on Crime in 2023 because the crime illustrates the real urgency of child protection in public spaces. Not only involving law enforcement officials, this case also demands the active role of the Children's Social Service and related agencies in ensuring the survival of abandoned babies. In addition, 2023 is considered more representative because it shows a pattern of child neglect in the community, not in hidden locations, thus causing wider psychological and social impacts. Therefore, this study is directed to analyze the role of the Role of the Social Service in handling the crime of child abuse, by making the 2023 crime as the entry point for the study in the main location.

Apart from being an academic contribution, this article is also intended to provide practical input for related institutions, law enforcement officials, and the community to jointly strengthen the child protection system. In the narrative academic approach, the author seeks to present a logical, argumentative, and contextual analysis, so that the results are useful both in the theoretical and implementive realms. Armed with problem mapping, actors, and policy instruments, this article offers recommendations that are operational, measurable, and replicable at the central and regional levels.

RESEARCH METHODS

This research uses a juridical approach, which means looking at the issue from the perspective of the applicable positive law, namely assessing what should be according to laws and regulations, principles, court decisions, and doctrines. In this study, a juridical perspective is used to first map relevant norms regarding child protection, criminal provisions for neglect, and the authority of local governments in the social field. The mapping is a frame of reference to assess the role and procedures of the Palangka Raya City Social Service as required by law.

The juridical framework is then operationalized in an empirical qualitative approach with a qualitative descriptive design. Primary data was collected through in-depth interviews with Social Service officers, the Palangka Raya Police PPA Unit, health workers, and other related parties, equipped with limited field observation and analysis of official documents as secondary data. Thematic analysis is carried out deductively and inductively; namely, the initial theme is derived from legal norms such as authority, referral and assessment flows, cross-agency coordination, and protection services, and then enriched by field findings that arise inductively, such as resource barriers, the availability of safe houses, or factual

coordination patterns. A comparison between legal standards and practice in the field is compiled into a norm and practice conformity matrix to identify implementation gaps.

The main data in this study was obtained from the results of *in-depth interviews* with key informants, including Social Service officers, the Women and Children Protection Unit (PPA) of the Palangka Raya Police, health workers, and other related parties who played a direct role in handling the case. Secondary data sources are obtained from official documents, agency reports, online news from credible media, and laws and regulations related to child protection. Data collection techniques are carried out through semi-structured interviews, limited field observations, and document review, which are then combined through a triangulation process to ensure the validity of the information.

Data analysis is carried out using a *thematic analysis* method to identify role patterns, legal processes, and obstacles faced by the Social Service. Each field finding is compared with child protection theories and regulations to produce a comprehensive understanding. Through this empirical approach, the research is expected to be able to provide an objective picture of how the role of the Social Service is implemented in handling child neglect cases in Palangka Raya City, as well as uncover the real challenges faced in child protection at the regional level.

RESULTS AND DISCUSSION

The Role of Social Service Institutions in Handling Crime of Neglect in Palangka Raya City

The Palangka Raya City Social Service has a central role in handling abandoned child cases, especially in ensuring the fulfillment of children's rights from the beginning of discovery until obtaining a clear legal status. When receiving a report of an abandoned baby, the Social Service immediately conducts field outreach with the complainant to assess the child's initial condition. If the baby is found to be weak or newborn, the first step taken is to connect the baby with the nearest health worker, such as a midwife or health center, then refer him to the hospital for a thorough medical examination, immunization, and growth and development monitoring.

In carrying out this role, the Social Service adheres to the principle of "*the best interest of the child*" as mandated in Law Number 35 of 2014 concerning Child Protection. After the initial handling was carried out, the Social Service immediately coordinated with the Women and Children Protection Unit (PPA) of the Palangka Raya Police as a follow-up in the legal realm. Based on the results of field interviews, the child neglect case found in Palangka Raya City has currently entered the official investigation stage by the police (Khairunnisa, personal communication, 2025). This legal process focuses on efforts to find the perpetrator or biological parents of abandoned children. The police emphasized that child neglect is a criminal act that cannot be revoked or killed, even though it has been going on for a long time; even the investigation can continue for the next 20 years. This shows the seriousness of the state in enforcing the law for the sake of justice for children. However, the investigation process is not always easy because many cases occur at night, in quiet areas, or without the support of visual evidence such as CCTV footage, so the search for perpetrators often takes a long time and is highly dependent on information from the public.

The next stage is the determination of the status of abandoned children through the court. This stage is crucial because it provides legal legitimacy to the status of the child before the opportunity for adoption is opened. Based on the results of the interviews, the process of

determining this status takes a relatively long time, with an average of about three months, because it must go through a series of administrative procedures, document checks, and cross-agency coordination, including with the Central Kalimantan Provincial Social Service. At the provincial level, the PIPA Team (Consideration of Child Adoption Permits) is the institution authorized to provide recommendations on child adoption, while the City Social Service plays a role in providing data, assistance, and initial recommendations to prospective adoptive parents.

After the court determination, the Social Service opens up opportunities for adoption through social media and other official channels by prioritizing the principles of openness and public accountability. The adoption process does not only rely on the wishes of prospective adoptive parents, but is preceded by a series of social and psychological assessments, including home visits to assess the living environment, economic conditions, and the quality of bonding or emotional attachment between prospective adoptive parents and children. Prospective adoptive parents who are considered to meet the criteria will be given a Decree (SK) of provisional determination for a maximum of 1 year and 6 months, before then submitted for permanent ratification by the court.

Based on this description, it can be concluded that the role of the Social Service does not stop at the initial handling when abandoned children are found, but continues to the parenting and adoption stages. The Social Service ensures that the entire process from outreach, fulfillment of health services, legal processes, determination of status, to adoption of children, runs in accordance with the provisions of applicable law and ethical principles of child protection.

Obstacles of Social Services to Child Neglect Cases in Palangka Raya City

In carrying out its duties, the Palangka Raya City Social Service faces a number of obstacles that can be grouped into two aspects, namely internal factors and external factors. In terms of internal factors, the main obstacle that arises is budget limitations in financing the handling of abandoned children, especially at the stage of medical treatment in hospitals. Based on the results of the interview, the cost of caring for one abandoned baby can reach around IDR 9,900,000 with an average treatment period of one and a half months. These costs include the need for medical care, immunization, and the fulfillment of the baby's basic needs during treatment. This budget limitation causes the Social Service to make adjustments to fund allocation so that each case can still be handled properly. In addition, limited human resources (HR) are also a hindrance, because the number of field officers handling cases is not proportional to the size of the area and the number of reports received.

The next internal obstacle arises in the process of determining the status of abandoned children and the adoption of children (adoption). Prospective adoptive parents are required to meet a number of strict administrative and medical requirements, including being a maximum age of 30 years, having a minimum of five years of marriage, being in a healthy physical and spiritual condition, and not having children or having only one child. In addition, prospective adoptive parents must also attach a health certificate from a government hospital and a certificate from an obstetrician for couples who cannot have offspring. These requirements are important to ensure the feasibility of care, but in practice they often slow down the administrative process and extend the time it takes for the legal determination of the status of abandoned children.

In terms of external factors, the Social Service is faced with obstacles in the form of low public understanding of legal procedures in child adoption. Some people do not know

that the care and adoption of abandoned children must be carried out through official legal mechanisms under the supervision of the Social Service and the courts. The case that occurred at the Trumpet Church is a concrete example, where the surrounding community had refused to hand over abandoned babies to the Social Service because they considered the institution to be unauthorized, considering that they were not the first to find the baby. Through coordination and a persuasive approach with the church and community leaders, the Social Service finally provides an understanding that legally the institution that has the authority to assist and protect abandoned children is the Social Service. This case shows that low awareness and understanding of the law at the community level can hinder the process of handling children quickly and appropriately.

In addition to the obstacles faced by the Social Service, the Police, especially the Women and Children Protection Unit (PPA) of the Palangka Raya Police, also experienced obstacles in the investigation process of child neglect cases. One of the main obstacles is the unavailability of CCTV footage at the scene. Most cases of abandoned babies being found occur in public areas, such as people's yards, public roads, or mosque courtyards that are not equipped with camera surveillance systems, so it is difficult for the authorities to obtain visual evidence that can help the perpetrator identification process. The next obstacle is the lack of eyewitnesses from the community (Sugiarto, personal communication, 2025), because baby abandonment events generally occur at night or early in the morning when community activities have stopped. The absence of witnesses makes it difficult for the police to compile a detailed chronology of events and ultimately slows down the legal proof process.

Another obstacle that is no less complex is the existence of efforts to protect the perpetrator by the family or close relatives. In some cases, when the identity of the perpetrator begins to be detected, the family tends to cover up the information because they feel ashamed and afraid of bearing social disgrace. Cultural factors and social values that still consider the abandonment of babies as a family disgrace cause many cases not to be revealed openly. As a result, the investigation process is slow and often stops at an early stage. In fact, legally, the crime of child neglect is a crime that cannot be revoked or killed even for the next 20 years, so that the search process for the perpetrator in principle continues by the police.

It can be concluded that the handling of child neglect cases in Palangka Raya City still faces multidimensional obstacles, covering structural, social, and cultural aspects. Therefore, stronger synergy is needed between the Social Service, the Police, religious institutions, health workers, and the community to strengthen coordination while increasing public legal awareness. Public education efforts and strengthening the legal support system are strategic steps so that every case of child neglect can be handled effectively, transparently, and still based on the principle of the *best interest of the child*.

Criminal Acts According to the Provisions of the Criminal Code

The neglect of babies that occurred in Palangka Raya City is a form of serious violation of criminal law, because it concerns the right to life and safety of children as weak and helpless legal subjects (Munajat, 2022). In the context of positive Indonesian law, the act is qualified as a criminal act according to the Criminal Code (KUHP), especially in the (Tirto, n.d.) case of Crimes Against Life and Health, which contains articles regarding the neglect of people who must be cared for. Infant neglect is included in the category of criminal acts related to "Whoever deliberately places or leaves a person in a state of misery, even though according to the law or agreement it is obligatory to provide life/care/maintenance, is sentenced to a maximum of 2 years and 8 months in prison (plus a fine). For infants, this

obligation is inherent in the parent/guardian/anyone who legally bears the responsibility of care."(Indonesia, 2023)

In the old Criminal Code, which is still in force until the transition period to the new Criminal Code in 2026, the act is explicitly regulated in Articles 304 to 308 of the Criminal Code. Article 304 of the Criminal Code states that any person who intentionally places or allows a person in a state of misery, even though, according to the law or agreement, he is obliged to provide life, care, or maintenance, can be punished with imprisonment for a maximum of two years and eight months (Amiruddin & Asikin, 2022). This provision provides the basis that the abandonment of the baby, if carried out by a party who has a legal obligation (such as parents or guardians), is included in the category of the crime of omission, that is, not doing something that should be done (Pratama, 2020).

Article 305 of the Criminal Code more specifically ensnares perpetrators who deliberately place a child under the age of seven for someone else's discovery, or deliberately abandons him with the intention of escaping responsibility for the child. The criminal threat in this article reaches five years and six months, reflecting the level of seriousness of the crime that has the potential to threaten the life of the child. In the context of the case of infant abandonment in Palangka Raya City, perpetrators who deliberately leave babies in public places (such as streets, parks, or houses of worship) to be found by others can be charged with this article.

Article 306 of the Criminal Code aggravates the punishment if the result of the act causes the baby to suffer serious injury or die. If neglect results in serious injury, the criminal threat can increase to seven years and six months, and if it causes death, the penalty can be up to nine years in prison (Marpaung, 2023). This shows that Indonesian criminal law recognizes the existence of a causal relationship between the act of abandoning the baby and the consequences caused, so that the element of causality is an important part of proving in court.

Article 307 of the Criminal Code emphasizes that if the perpetrator is the father or mother of the child, the penalty imposed can be increased by one-third of the main criminal threat.^(Soesilo, 2022) This provision provides a deeper moral dimension, because parents have a natural and legal obligation to raise their children. However, Article 308 of the Criminal Code provides an exception by mitigating the punishment for mothers who, for fear of knowing their birth, immediately after giving birth, put their child for someone else to find or leave it. In this case, the maximum penalty of Articles 305 and 306 can be reduced in half.

In law enforcement in Palangka Raya City, the element of intentionality, the intention to abdicate responsibility, as well as the time and motive of the perpetrator are important points in proving in court. Investigators and public prosecutors will assess the circumstances of the baby's whereabouts, time, and conditions when they are found to determine whether the act was intentional or negligent. If it is proven that the perpetrator has the intention to abandon and escape responsibility, then the element of mens rea (malicious intent) is met.

Meanwhile, cases of infant neglect must also be seen from a social and child protection perspective. The State, through Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, as well as Government Regulation Number 78 of 2021(Indonesia, 2021) concerning Special Protection for Children, affirms that every child has the right to survival, growth, and development in a reasonable manner. Meanwhile, infant neglect is not only a crime against the individual, but also a violation of the child's human rights guaranteed by the constitution and national law.^(Muladi & Arief, 2021)

The crime of infant abandonment contains criminological, sociological, and juridical dimensions. Criminological because it concerns motives and causative factors such as poverty, mental unpreparedness, and social pressure; sociological because it has an impact on social structure and public perception of human values, and juridical because it requires proportionate law enforcement according to the principle of *ultimum remedium* that criminal law is used as a last resort to protect children's right to life.

In line with that, the application of the articles of the Criminal Code to infant neglect in Palangka Raya City must be carried out comprehensively, including elements of intention, consequences, legal relations between the perpetrator and the baby, and the motive of the act. Law enforcement officials are required to not only punish the perpetrators, but also restore the function of social protection for children as a constitutional mandate of the state.

Conceptually, infant neglect indicates the meeting between criminal law obligations and parents' social and moral obligations to children. It was explained that in the child protection criminal law, the obligation of parents to maintain and care for children is not only seen as a private family affair, but has been raised as a public interest that binds all law enforcement officials.^(Firm, 2020) When a parent or guardian knowingly neglects such an obligation, his or her actions are no longer seen as merely a moral failure, but rather as an attack on the child's legal interest to live, grow, and thrive in a safe environment (Rizkia, 2024). From this point of view, the enforcement of Articles 304 to 308 of the Criminal Code against cases of infant neglect in Palangka Raya City is an instrument to ensure that the responsibility of childcare should not be left vacant or unilaterally transferred by the perpetrator (Erdianti, 2020).

The regulation of juvenile criminal law is basically built on the principle that children are legal subjects who need special protection (Wahyudi & Hendriana, 2024). This principle requires judges and law enforcers to read the elements of intentionality and the intention to abdicate responsibility in infant neglect cases more sensitively to the position of the child as a victim. For example, in the case of a baby who is deliberately left in a potentially life-threatening place, such as a quiet roadside or an area far from a residential area, the element of intentionality to put the child in a miserable state seems very strong. On the other hand, if the baby is entrusted to a health facility or religious institution that is relatively safe, the assessment of the element of intentionality needs to be supported by additional information about the perpetrator's intentions, family background, and efforts to seek help before deciding to leave the baby. This analysis is important so that the application of the abandonment article does not fall into a purely formal assessment, but considers the context of the birth and the psychological condition of the mother or family.

As for the protection of children and women, it needs to be seen as a series that is not separated because various forms of violence and vulnerability experienced by mothers often lead to extreme situations such as infant neglect. In some cases, unwanted pregnancies, unequal power relations, or social and economic pressures on the mother can be strong driving factors. Therefore, law enforcement policies in Palangka Raya City need to link infant abandonment cases to support systems for women who experience domestic violence, family pressure, or cultural stigma. As well as highlighting that legal arrangements regarding domestic violence and child protection should be used in a complementary manner, so that the authorities can see the chain of problems from upstream to downstream, not just at the point when the baby has been abandoned. This approach helps map whether neglect is part of a broader pattern of domestic violence.

From the perspective of criminology and victimology, Amen (2021) explains that babies as victims of neglect are included in the category of victims who are very vulnerable because they do not have choices, awareness, or the ability to protect themselves. Under these conditions, the state is obliged to establish an active protection mechanism, not wait for complaints or reports (Ali, 2021). This means that any reports or findings of the community regarding abandoned babies must be processed as preliminary information of the crime, followed by an investigation to identify the perpetrator and assess the risk to the safety of the baby.^(Rohmat, 2024) Puspitosari and colleagues stated that in handling child victims of crime, including neglect, the victimology approach (Rasiwan, 2024) requires planned recovery services, in the form of health care, psychological support in the future, as well as family tracing or alternative placement that prioritizes the best interests of the child.

It is emphasized that an effective child protection system must combine criminal justice with social policies and population administration (Nuroniya, 2022). In the case of infant neglect, after emergency handling and criminal proceedings against the perpetrator are underway, the state must resolve the legal status of the child through court determination, birth registration, and determination of future parenting patterns, such as parenting by a surrogate family or through a legal child adoption mechanism. Without this certainty of legal status, babies are at risk of future vulnerabilities, such as difficulties accessing education, health services, or other civil rights and are reminded that the unclear legal status of the victim can prolong the suffering, so child protection should be measured not only by the criminalization of the perpetrator, but also by how far the state guarantees the recovery and future of the child.

This shows that the reform of child protection laws in Indonesia is leading to a strengthening of the principle that criminal law is a means of last resort, but can and should be used decisively when all other social mechanisms fail or are ignored. The principle of *ultimum remedium* in the context of infant abandonment cannot be interpreted as a reason to delay or avoid the use of criminal instruments, because the life and safety of the baby are in a very vulnerable position (Ridwan, 2020). On the contrary, this principle encourages the use of criminal law to be accompanied by prevention policies, public education, strengthening the family economy, and adequate counseling services. Thus, the enforcement of the neglect article in the Criminal Code and the Child Protection Law in Palangka Raya City is part of a broader strategy to build a social culture that respects the dignity of children and rejects all forms of violence and neglect. If all these elements go hand in hand, then the application of the articles of the Criminal Code regarding infant neglect will not only result in a verdict in court, but also present a real change in the pattern of child protection in Palangka Raya City.

CONCLUSION

The conclusions of the research on the Role Analysis of the Palangka Raya City Social Service in Handling Child Neglect Crimes in Palangka Raya City are as follows:

1. The results of the study show that the Palangka Raya City Social Service has an important role in handling the crime of child neglect, starting from outreach and initial handling, referral of health services, coordination with the PPA Unit of the Police, to the determination of the status of children and parenting/adoption arrangements.
2. The results of the study show that the implementation of the role of the Social Service still faces various internal and external obstacles, such as budget and human resource limitations, complex administrative processes, and low understanding and

community participation, so that the handling of child neglect cases has not been optimal.

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