


Medicolegal Handling Strategy For Sexual Violence Against Women at Sultan Agung Islamic Hospital Semarang

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Article Info	ABSTRACT
Keywords: sexual violence, gender, medicolegal	Sexual violence against women in Indonesia is an important issue that must be raised to be handled properly. In 2024, Komnas Perempuan recorded 445,502 cases of complaints of violence against women in Indonesia. Various factors behind it. However, this problem is still not of public attention until now. It even tends to be isolated so that it does not become public consumption. The majority of victims of gender-based violence are women and children. Women are vulnerable to violence because they are weak and powerless, as a result of unfair and equal gender relations. Men tend to be dominant in gender relations. This phenomenon can be seen in various data both in the media and social institutions that have concerns about handling this case. The qualitative study consisted of a normative approach, field observation and in-depth discussion (focus group discussion) to find out how the medicolegal strategy for handling sexual violence against women at the Sultan Agung Islamic Hospital in Semarang. The need for comprehensive, impartial and effective medicolegal handling needs to be applied in handling cases of sexual violence against women.
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INTRODUCTION

Sexual violence against women continues to be an important issue that occurs widely, both globally and in certain contexts such as campuses, schools, and in public places (Putri, Pembayun, & Qolbiah, 2024). Efforts to address and eradicate sexual violence must go beyond changing individual behavior and focus on challenging societal norms, promoting gender equality, providing comprehensive education on consent, and enforcing strict laws to hold perpetrators accountable. Addressing the underlying factors that contribute to sexual violence, such as poverty, unemployment, and a lack of effective justice and policing systems, is critical (Machisa et al., 2021). Counseling and information to build awareness and educational programs are essential to educate women and men about the importance of respecting and loving each other, as well as promoting a culture of non-tolerance of violence. In addition, community-focused solutions that mobilize prosocial behavior play an important role in preventing sexual violence. By fostering a sense of community responsibility and increasing community members' acceptance of prevention messages, proactive observer interventions can help create safer environments and reduce incidents of sexual violence against women.

Implementation of a comprehensive strategy that is able to address the individual and societal factors that contribute to this problem. To effectively address sexual violence against women, it is critical to implement comprehensive strategies that address the individual and societal factors that contribute to the problem (Sardinha et al., 2022). Sexual violence against women is one of the most common and dangerous forms of violence against women in Indonesia. This sexual violence can be harassment, rape, or other sexual abuse. Data from Komnas Perempuan shows that sexual violence against women is still a complex and ongoing problem in Indonesia. In 2024, Komnas Perempuan recorded 445,502 cases of violence against women reported to Komnas Perempuan and CATAHU partners in 2024. The number of cases has increased by 43,527 cases or around 9.77% compared to 2023 (401,975). The number of complaints received by Komnas Perempuan in 2024 amounted to 4,178 cases, a decrease of 4.48% from the previous year. Although there has been a decrease in the number of cases complained, the average complaint to Komnas Perempuan is 16 cases/day. Based on the form of violence, Komnas Perempuan data and case reporting data from CATAHU 2024 partners that were most reported were sexual violence (26.94%), psychological violence (26.94%), physical violence (26.78%) and economic violence (9.84%). This year there is a shift in data compared to 2023 where the most reported violence data is psychological violence. Especially in the data of CATAHU partners, sexual violence showed the highest number of 17,305, physical violence 12,626, psychological violence 11,475, and economic violence 4,565. Meanwhile, data from Komnas Perempuan shows that psychological violence still dominates with 3,660 numbers, followed by sexual violence at 3,166, physical violence at 2,418, and economic violence at 966.

Support for the treatment of medicolegal for victims of sexual violence has been poorly researched and it has been found that research only focuses on forms of sexual violence but not in a free way to assist victims in their legal and medical services. So, the purpose of this systematic research at Sultan Agung Islamic Hospital Semarang is to understand the level of sexual violence against women, its causative factors, and its impact so that effective medicolegal treatment strategies can be developed. Another goal of this study is to address the main concerns about violence against women in several regions by understanding the extent of such violence, its causative factors, and its impact so that evidence-based policies and programs can be developed to advance and protect women's rights.

Problem Formulation

Seeing the high number of incidents of sexual violence that occur against women, it is hoped that the government can immediately encourage the establishment of medicolegal services in health facilities to help resolve and manage victims of sexual violence both in legal and medical terms. Can the establishment of the medicolegal service be carried out effectively, what is the concept of the strategy for handling medicolegal acts of sexual violence against women at the Sultang Agung Islamic Hospital Semarang?

RESEARCH METHODS

In this study, the researcher used a qualitative research method consisting of a normative approach, field observation and in-depth discussion (*focus group discussion*). Where what is

meant by normative research is literature law research. Field observation is a method of collecting primary data by directly observing phenomena in the research subject. *Focus group discussion* is a qualitative data collection technique that involves a targeted discussion between a group of participants selected based on certain criteria. This research is descriptive in nature which aims to describe or explain a problem by using theories as a reference in solving problems to provide a more directed picture and limit.

DISCUSSION

Definition of Sexual Violence

Sexual violence is a type of violence that can occur both in public and domestic spaces. Sexual violence can be interpreted as the occurrence of unwanted sexual approaches by a person towards another person. This sexual approach can occur in various forms, both physical and verbal. Currently, Indonesia has a special regulation on the crime of sexual violence, namely the TPKS Law. Referring to Article 1 number 1 of the TPKS Law, what is meant by the crime of sexual violence is any act that meets the elements of a criminal act as regulated in this law and other sexual acts as regulated in the law as long as it is specified in this law.

Legal subjects of sexual violence perpetrators are usually suffered by women who are often considered weak victims. Children are said to be weak subjects in terms of sexual violence because of the position of children who still have high dependency with older people so that children and women become vulnerable victims of sexual violence committed by perpetrators. Examples of sexual violence that are considered deviant are rape, molestation, adultery, and trafficking in sexually oriented people. This means that the practice of sexual relations is carried out in violent ways, outside the legal marriage bond and contrary to the teachings of Islam. Violence is highlighted to prove that the perpetrator has more physical strength, or that his physical strength is used as a tool to facilitate his evil efforts. Sexual violence is a term that refers to derivative sexual behavior or relationships that are deviant, detrimental to the victim and disrupting peace in society. The existence of sexual violence occurs, so the suffering for the victims has become a serious consequence that requires attention (Abdul Wahid and Muhammad Irfan, 2001). Women's sexuality is vulnerable to discriminatory and violent treatment (Sulistiyowati Irianto, 2006). Therefore, adult women and children are also vulnerable to sexual violence.

Profile of Sexual Violence Cases in Indonesia

The problem of sexual violence against women is based on the high rate of violence against women in Indonesia, which has been documented by Komnas Perempuan from the results of reports from several service providers and judicial institutions in collaboration with Komnas Perempuan. The data shows an increase in cases of violence against women from 2014-2024 in Indonesia as follows:

Table 1. Number of Violence Against Women in 2015 – 2024 in Indonesia

Yes	Year	Number of Victims of Violence Against Women
1	2015	321,752 cases
2	2016	259,150 cases

Year	Number of Victims of Violence Against Women
2017	348,446 cases
2018	406,178 cases
2019	406,178 cases
2020	299,911 cases
2021	338,496 cases
2022	339,782 cases
2023	401,975 cases
2024	445,502 cases

Source : Executive Summary of the 2015 – 2024 Annual Record by the National Commission on Anti-Violence Against Women.

There is unidentifiable data in the realm of 8,368 cases from the Ministry of PPPA. Meanwhile, for the region, the most cases were recorded on the island of Java. The provinces of North Sumatra, Lampung and South Sulawesi are provinces outside Java that are recorded to have many cases. On the other hand, Papua Province is the region with the fewest reported cases (9 cases). Based on the form of violence, Komnas Perempuan data and case reporting data from CATAHU 2024 partners that were most reported were sexual violence (26.94%), psychological violence (26.94%), physical violence (26.78%) and economic violence (9.84%). This year there is a shift in data compared to 2023 where the most reported violence data is psychological violence. Especially in the data of CATAHU partners, sexual violence showed the highest number of 17,305, physical violence 12,626, psychological violence 11,475, and economic violence 4,565. Meanwhile, data from Komnas Perempuan shows that psychological violence still dominates with 3,660 numbers, followed by sexual violence at 3,166, physical violence at 2,418, and economic violence at 966.

Legal Review of Sexual Violence Against Women

Sexual violence is a special concern of Komnas Perempuan. This cannot be separated from the history of its own formation, which was born from the demands of civil society, especially women, for the government to realize the responsibility of the state in responding to and dealing with the problem of violence against women. The demand is rooted in the tragedy of sexual violence experienced mainly by ethnic Chinese women in the May 1998 riots in various major cities in Indonesia. Therefore, the prevention, handling and recovery of victims of sexual violence is encouraged through public education, monitoring, campaigns and policy changes.

The current Criminal Code only identifies forms of sexual violence as limited to experimentation and molestation that must require violence. This can be seen from the verdicts for 15 cases of sexual violence using Article 285 of the Criminal Code with a minimum sentence of 3 months and 10 days and a maximum sentence of 10 years. 17 cases used the Child Protection Law Article 81 and Article 82 with a maximum sentence of 13 years and a minimum of 2 years and 8 months. The remaining cases were decided using articles 268, 287, and 289 of the Criminal Code and 1 case using the PTPPO Law. This means that for cases other than rape and molestation, Law Enforcement Apparatus uses the Criminal Code in handling cases considering that there is no special legal umbrella for other sexual

violence, such as sexual exploitation and attempted rape. Meanwhile, Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection in article 15 (f) explains as follows: "Article 15 Every child has the right to obtain protection from: (f) sexual crimes" This means that the Child Protection Law also does not specifically mention and regulate the type of sexual violence that usually also occurs to child victims. Therefore, the Sexual Violence Law is here to answer public concerns regarding cases of sexual violence that are rampant in Indonesia.

The push for the importance of a comprehensive legal umbrella for the elimination of sexual violence has been formally recommended to the legislature since 2014. In addition to encouraging the legislative process, public campaigns and education are carried out to increase knowledge and awareness of various forms of sexual violence, document women's experiences and monitor obstacles to justice and victim recovery when claiming justice through the criminal justice system. The synergistic and collaborative work of all elements of society, especially the Women's Movement, has made the discourse on sexual violence and victims' rights more recognized. The year 2022 will be a year of achievement in the formation of regulations related to sexual violence, with the promulgation of Law No. 12 of 2022 concerning the Crime of Sexual Violence (TPKS Law).

Types of sexual violence can legally refer to the provisions in Article 4 of the TPKS Law. From the reading of Article 4 paragraph (1) of the TPKS Law, the crime of sexual violence consists of (Rosania, 2022):

- a. Non-physical sexual harassment, which is inappropriate statements, gestures, or activities that lead to sexuality with the aim of degrading or humiliating.
- b. Physical sexual abuse.
- c. Forced contraception.
- d. Forced sterilization.
- e. Forced marriage.
- f. Sexual abuse.
- g. Sexual exploitation.
- h. Sexual slavery.
- i. Electronic-based sexual violence.

Furthermore, Article 4 paragraph (2) of the TPKS Law explains that the crime of sexual violence also includes:

- a. Rape.
- b. Obscene acts.
- c. Sexual intercourse with children, obscene acts against children, and/or sexual exploitation of children.
- d. Acts of violating morality that are contrary to the victim's wishes.
- e. Pornography involving children or pornography that explicitly contains sexual violence and exploitation.
- f. Forced prostitution.
- g. Criminal acts of trafficking in persons aimed at sexual exploitation;
- h. Sexual violence in the domestic sphere.

- i. The crime of money laundering whose criminal act originated was a criminal act of sexual violence.
- j. Other criminal acts that are expressly stated as criminal acts of sexual violence as regulated in the provisions of laws and regulations.

Medicolegal Handling Strategy for Sexual Violence Against Women

This systematic qualitative analysis provides comprehensive information about violence or sexual harassment against women that can affect individuals and how to handle victims of sexual violence at Sultan Agung Islamic Hospital Semarang. Sexual violence against women has a significant and destructive impact, including mental health disorders such as psychological trauma, post-traumatic stress, anxiety disorders, depression, sleep disorders, and eating disorders. Physical impacts can include physical injuries, incisions, bruises, and the risk of infection or sexually transmitted diseases. Victims often experience feelings of shame, low self-esteem, social isolation, difficulty forming healthy relationships, and difficulty building trust. Sexual violence can also have an impact on the victim's daily life, causing difficulties in work or education due to concentration disorders, loss of interest or motivation, and loss of trust in others. The causes of sexual violence against women include low legal awareness of gender, strong patriarchal culture, low economic or poverty levels, alleged infidelity, premature marriage, emotional distress, hormonal problems, and educational gaps. Sexual violence can also include sexual activity performed without the victim's consent or willingness, sexual comments, and sexual comments or images through text messages or the sending of sexual images and videos. Sexual violence can be experienced by both women and men, or it can be referred to as a victim. The definition of victim in the TPKS Law is a person who experiences physical, mental, economic loss, and/or social loss caused by the crime of sexual violence.

The form of services provided by Sultan Agung Semarang Islamic Hospital from each existing part, step by step in detail can be explained as follows:

1. Medical and Medicolegal Services

Medical services began with a triage (registration) action at the gate of the emergency room building of the Sultan Agung Islamic Hospital which aimed to provide a special assessment for victims who suffered injuries or injuries and were classified as emergencies handled directly by the relevant experts in the emergency room. Then all victims of violence against women and children will be examined in a more private room. If previously the victim had reported his case to the police and at the time of registration was escorted by a police officer or brought a visa request letter, the victim was immediately handled simultaneously starting from medical, medicolegal and psychosocial.

2. Psychosocial Services

The first stage of psychosocial services is carried out by the psychologist or psychiatrist who handles the case. At this stage, a psychological assessment and the role of the victim's environment in providing a psychological impact were carried out by the examination team.

3. Legal Aid Services

The first legal aid is in the form of an explanation from a general practitioner when he first comes to bring in a medicolegal expert, in this case a forensic doctor. If the victim needs legal help, the hospital will suggest by providing a referral to a legal aid institution that partners with the hospital.

In this process, previously there was information and requests for approval (informed concern), always done first. This effort is made so that all handling processes are based on the needs of the victims and they know what to do. A definitive visum is given a few days later, or awaits the results of the laboratory examination needed to complete the examination results (Kusmanto et al., 2012).

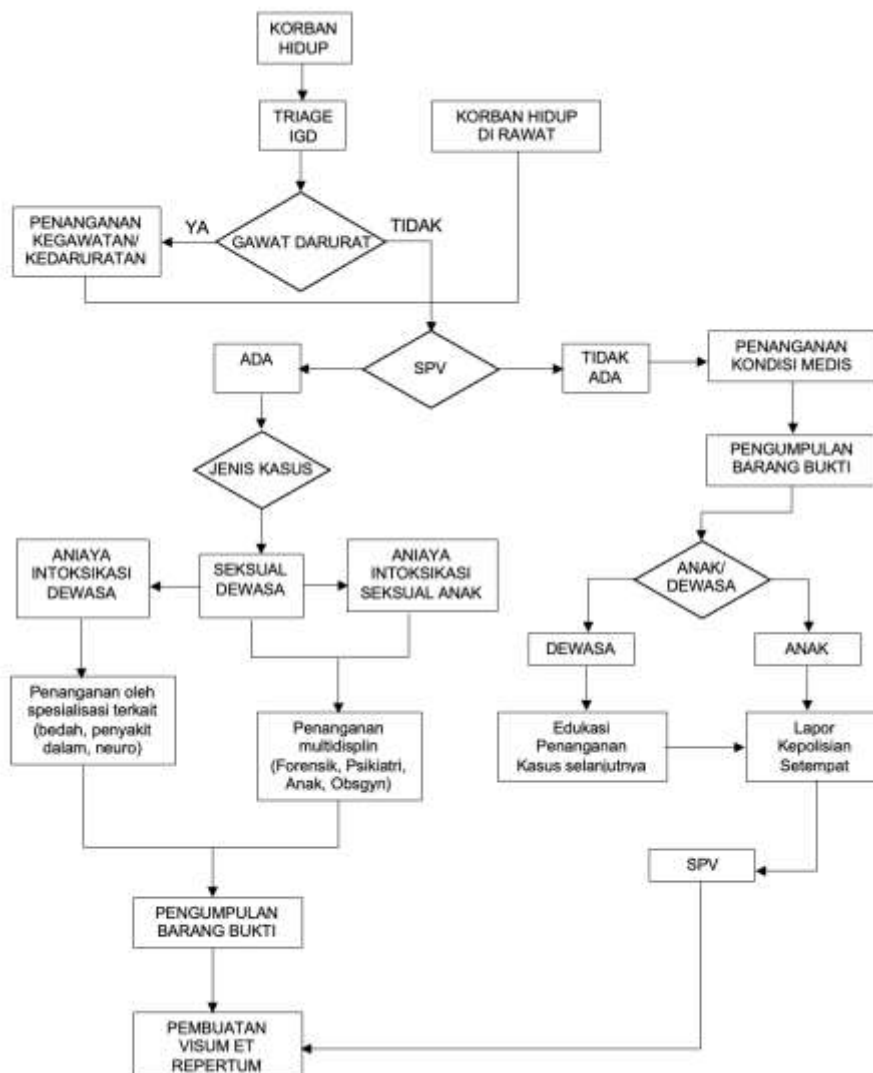


Diagram 1. Flow of the medical handling of sexual violence cases

CONCLUSION

Sexual violence against women has very serious implications for the health of victims in various aspects. Psychologically, victims often experience deep trauma, such as post-

traumatic stress disorder (PTSD), anxiety, and depression, which can have a long-term impact on their mental well-being (Catabay et al., 2019). In addition, the physical impact of sexual violence includes physical injuries such as cuts, bruises, and even the risk of transmission of sexually transmitted diseases (STDs). Socially, victims may face difficulties during interpersonal relationships, feel isolated, and experience social stigmatization, all of which can worsen their mental health (Indrayana, 2017). The economic implications are also significant, with victims facing medical treatment costs, lost income due to disruptions in employment or education, as well as associated legal costs. In addition, the victim's reproductive health is also threatened, with the risk of unwanted pregnancy or STD transmission that can interfere with physical health and psychological as a whole (Yosep et al., 2022). The need for comprehensive, impartial and effective medicolegal handling needs to be applied in handling cases of sexual violence against women and children. With so many cases of sexual violence against women in the community, the existence of medicolegal services for victims is very important. It is necessary to procure medicolegal services that are not only centralized at central referral hospitals, but can be implemented starting from basic and intermediate level health facilities.

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