


Case Report: Forensic Examination of Alleged Case of Abuse by the Biological Father

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Article Info	ABSTRACT
<p>Keywords: Forensic examination, sexual assault, hymen, blunt trauma, lacerations</p>	<p>This study aims to analyze the results of a forensic examination of a victim of alleged sexual abuse by her own father, reported by the South Sulawesi Regional Police. The forensic examination was conducted at the Forensic Medicine Unit of a hospital in Makassar on a 21-year-old woman. The comprehensive examination by the forensic team revealed no signs of acute physical violence. This means there was no evidence of fresh wounds caused by blunt or sharp objects, nor any signs of recent sexual penetration. This is a crucial finding, indicating that the alleged violence reported did not leave any traces of recent or active physical violence at the time of the examination. However, another crucial finding was the presence of an old tear in the hymen. The presence of this wound indicates that an injury had occurred in that area and that the wound had healed. This wound to the hymen can originate from various causes, including but not limited to old trauma, previous medical procedures, or even wounds related to past violent incidents that have undergone a healing process. The discovery of this old wound to the hymen requires further interpretation and needs to be linked to the victim's medical history and testimony in more depth to understand its context and cause. Even though there are no signs of new violence, the presence of old wounds that have healed remains important information in the investigation process and forensic assessment of cases of alleged sexual violence.</p>
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INTRODUCTION

Crimes against morality often victimize women, and they involve many forms, including pornography, rape, molestation, and trafficking. It's important to first understand the definition of morality itself. In the KBBI (Big Indonesian Dictionary), "Susila" means good manners, civilized, or polite. Meanwhile, "kesusila" refers to morality related to manners and politeness. "Assila" refers to actions or behavior that deviate from norms or rules of politeness, which are currently common in society.

Sexual crimes are a very cruel form of crime that occurs to children, especially if the perpetrator of the sexual crime is a father against his own biological child, who in essence is a father who is a place of refuge for a child from various threats of crime that threaten him. The crime of indecent assault is any form of behavior that has a sexual content carried out by a person or a number of people but is not liked or expected by the person who is the target, resulting in negative consequences, such as: feeling embarrassed, offended, humiliated, angry, loss of self-esteem and loss of purity.

Sexual abuse is a violation of children's rights, and there is no justification for such a crime, whether morally, ethically, or religiously. Furthermore, the defendant's actions can cause physical and psychological trauma to victims, especially children, which can impact their development as adults.

Criminal acts against morality in the Criminal Code are divided into two, namely the crime of rape for sexual intercourse which is regulated in Article 285 of the Criminal Code and the crime of committing indecent acts which is regulated in Articles 289-296 of the Criminal Code. Meanwhile, in the Child Protection Law, criminal acts against morality involving children are regulated in Article 88 of Law Number 23 of 2002 in conjunction with Law Number 35 of 2014 concerning Child Protection.

The position of women is placed as the object of sexual violence (molestation) because women are identified as weak, and men as perpetrators are known for their very strong strength and can force sexual intercourse in any way they want, even through violence or threats of violence.

RESEARCH METHODS

Studies This study uses a qualitative descriptive approach, with the primary source being a Visum et Repertum document issued by a hospital in Makassar. The examination was conducted on June 25, 2025, by a medical team consisting of a forensic specialist and several accompanying physicians. The examination included primary and secondary surveys of the victim's entire body.

A 21-year-old woman reported an immoral case coming to the visum center on Wednesday, June 25, 2025 at 17:03 WITA. According to the victim's statement, on May 8, 2025, at 08.00. Initially the victim was going to go out but suddenly the perpetrator (who is the victim's biological father) called her to come into the house, then the perpetrator opened his pants and forced the victim to perform oral sex, according to the victim's statement this incident had occurred repeatedly since the victim was in fifth grade of elementary school (the victim was around ten years old), the perpetrator had also thrown sperm in the victim's mouth. According to the victim's statement, the perpetrator had also licked and rubbed his fingers on the victim's vagina, the victim was also forced to watch adult films. The perpetrator often threatened the victim not to report this incident.

In this case, the victim was taken to the hospital by police officers with a request for a medical examination to determine the cause of his injuries or illness, and to conduct a post-mortem examination. The post-mortem examination was performed on Wednesday, June 25, 2025, at 5:03 PM WITA, and was subsequently performed by a forensic expert.

RESULTS AND DISCUSSION

Forensic Findings

During the post-mortem examination (VeR), the victim's physical examination revealed no physical injuries resulting from violence, whether caused by sharp, blunt, heat, chemicals, or metal objects. A thorough head-to-toe examination revealed a normal body condition with no abnormalities.

Onoral examination revealed redness on the roof of the mouth. Examination of the vaginal area revealed four lacerations to the base of the hymen at twelve, three, five, and seven o'clock, clockwise, with pale edges; one laceration not reaching the base at nine o'clock, clockwise, with pale edges.

The hymen is a vestigial membrane that, during embryonic development, separates the lower third of the vagina from the upper two-thirds during the development of a female fetus. In female infants, at birth, the hymen opens and shifts to the outer side of the genitals. The hymenal tissue often shrinks at birth to only a few millimeters, with configurations varying in size, shape, and elasticity. In girls, the hymen has an opening that varies greatly in size. The hymen varies in size and shape, depending on the age and stage of sexual development (Tanner Stage).

According to WHO guidelines, the hymenal opening can be further described as a cleft, lump, notch, protrusion, or thickening or thinning at the edge of the opening. Consensual sexual intercourse can result in injury, while forced sexual intercourse may or may not result in injury. A new tear in the hymen can be identified if blood is still visible or the area appears red or red. A tear in the hymen during intercourse is generally located at the back (posterior commissure), and the location of the tear is indicated by the number on the clock. An old tear is identified if the tear extends to the base (insertion) of the hymen.

A tear in the hymen only indicates the insertion of a solid/elastic object (it is not a definitive sign of intercourse). If the penis is fully inserted and the hymen is still in good condition, an examination should expect a tear. If it is elastic, there will be no tear. A tear in the hymen resulting from intercourse is usually found on the right or left posterior aspect, assuming intercourse occurred in a face-to-face position. The estimated time of intercourse can also be determined by the healing process of the torn hymen, which generally takes 7–10 days. In patients, the torn hymen is already the same color as the surrounding area, indicating an old wound.

A hymenal examination would expect a tear, but in some women, the hymen is elastic, so a tear doesn't occur. This means a tear in the hymen only indicates intercourse. A new tear may still be visible, bleeding, and painful to the touch. Signs of inflammation may still be visible hours or days prior.

Medicolegal Aspects

The close relationship between the perpetrator and the victim is the most common factor that adds complexity to handling sexual crime cases, as it does not rule out the possibility of incest. Research shows that most perpetrators of sexual crimes are people known to the victim: 30 percent are family members, 60 percent are other family members, and 10 percent are strangers or unknown to the victim. From data on sexual crime cases in

2016, the Indonesian Child Protection Commission (KPAI) categorized 62 percent of incidents as occurring in the immediate environment, namely family and school, and 38 percent in public spaces.

So it is not impossible that the perpetrator of sexual crimes is someone in the household, based on Law No. 24 of 2003 concerning the Elimination of Domestic Violence (KDRT) Article 2 Paragraph (1) states that the scope of the household is:

1. husband, wife, and children;
2. people who have a family relationship with the person referred to in letter A due to blood relations, marriage, breastfeeding, foster care and guardianship, who live in the household; and/or
3. a person who works to help with the household and lives in the household.

In relation to indecency, this crime is related to criminal acts against morality as regulated in the Criminal Code, namely, the crime of committing an act that violates morality with one's own child, with one's stepchild, with one's adopted child or with a minor whose supervision is entrusted to the perpetrator by law, as regulated in Article 294 of the Criminal Code, namely:

"Anyone who commits acts that violate morality with his own child, with his stepchildren, with his foster children, with his adopted children who are not yet adults or with someone who is a minor whose management, education or care has been entrusted to him, or with an assistant or subordinate, shall be punished by imprisonment for a maximum of seven years."

The Role of Forensic Science in Immoral Crimes

The primary principle of forensic examination is to obtain evidence promptly, as the human body is biological evidence that can change over time. The resolution of forensic cases in Indonesia relies heavily on the role of forensic doctors in concluding cases. Forensic medicine places a greater emphasis on the practice of forensic pathology, which is an integral part of the coroner and medical examiner system.

Forensic specialists use their knowledge not only to solve health problems but also to support law enforcement. Forensic science is often used in criminal cases such as murder, assault, sexual harassment, rape, domestic violence, and others. Doctors' assistance in sexual crime cases includes physical examinations and the collection of samples from the victim's body. These procedures comply with Indonesian medical competency standards.

A doctor can only be asked to assist in examining the victim, with the aim of revealing whether the victim is a woman, revealing whether sexual intercourse has occurred, revealing the identity of the man who had sexual intercourse with the victim, and revealing whether physical violence has actually occurred against the victim.

In cases of sexual assault, a forensic expert's ability to prove the presence of violence on the victim's body is called a *visum et repertum*. In this case, the doctor plays a role in providing credible evidence in court. *Visum et repertum* is a written report for the benefit of the court at the request of an authorized party, made by a doctor under an oath when accepting his position and based on his best knowledge. Although there is no explicit regulation in the Criminal Procedure Code, *visum et repertum* is regulated in Staatsblad 1937

Number 350. Judges in these cases often require expert assistance to confirm the integrity of a rape victim's hymen or assess signs of violence on the victim's body. In cases of crimes against morality and rape, forensic experts also provide expert testimony in court.

CONCLUSION

A forensic examination of the victim revealed no signs of fresh injuries. However, a tear in the hymen was found, indicating an old injury resulting from blunt trauma. This type of injury can be caused by penetration by an erect penis, but is not specific to sexual assault. Other causes, such as injury or accident, and medical examinations such as gynecological procedures, can also cause similar injuries. Therefore, these findings should be analyzed carefully and not used as sole evidence of sexual assault without supporting evidence.

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