



Handling victim blaming in cases of sexual violence against women (KBGO) by law number 12 of 2022

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ABSTRACT

Women are considered vulnerable groups, accounting for the majority of sexual violence victims. People often place partial or complete blame on women for the sexual violence they have experienced. This relates to the concept of gender equality, patriarchal culture, and the mass media. This research aims to provide a comprehensive understanding of the Sexual Violence Crime Law through literature studies, based on the principle that the best interests of the victim can reduce and prevent the occurrence of victim blaming. The research method applied is normative legal research, which uses a statutory and conceptual approach. The results of this research demonstrate the existence of various forms of victim blaming, their associated impacts, and the role that the Law of the Republic of Indonesia Number 12 of 2022 concerning the Crime of Sexual Violence plays in preventing and reducing victim blaming. Therefore, we anticipate that the results of this study will enhance our understanding of criminal law, particularly in the context of handling victim blaming in sexual violence cases, and offer valuable insights for government and law enforcement officials in the areas of law enforcement, public order, and public peace.

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1. Introduction

Women, as vulnerable groups, are primarily victims of sexual violence. This is primarily due to society's perception that women are weak and powerless. Regrettably, not only individuals of the opposite sex but also women themselves express this view. Sexual violence encompasses a range of coercive actions, including verbal abuse, forced penetration, and ignoring the consent of both parties. These actions can include social pressure, intimidation, and physical violence (Organization, 2012). Sexual violence is contrary to universal human values, and the constitution guarantees the protection of its citizens from all forms of violence (Rahmi, 2021). According to the Annual Record (CATAHU) of Komnas Perempuan (2023), there were 15,466 cases of violence against women in 2022 in Indonesia. It was noted that most complaints to Komnas Perempuan were cases of sexual violence, which amounted to 2,228 cases out of 5,831 cases based on forms of violence. This number increased compared to 2021, which amounted to 2,204 cases (Komnas Perempuan, 2023). This is very worrying because these crimes are likened

to an iceberg because there are still many other cases that are not reported by victims. According to Kerstin Adolfsson (2018), rape is an example of a crime with high occurrence rates but low reporting, which results in high attrition rates (Adolfsson, 2018). Many victims choose not to disclose their experiences, and even those who do frequently do not proceed to trial.

Victims of sexual violence do not report the crimes that have occurred to them due to several factors, namely the fear received due to the reaction after telling the chronology of events to others (Sastrawati, 2012), those who have the authority to handle cases of sexual violence are not empathetic and insensitive to victims and actually increase the sense of trauma from victims by blaming victims for what they have experienced (Nurisman, 2022), the absence of support from the closest people, especially family, and the victim's view that the crime he experienced was a disgrace so that the victim was embarrassed to tell what he had experienced (Paripurna et al., 2021). Victim blaming behavior occurs when the victim of a crime is blamed and responsible for the crime they get, and often applies in the context of sexual violence (Wulandari & Krisnani, 2021). According to Shopiani, et al (2021), the causes of the victim blaming phenomenon can be very complex (Shopiani et al., 2021). It can be caused by myths and stereotypes circulating in society about victims and perpetrators, as well as a lack of understanding about the psychological and emotional impact of being a victim (Rocky Marbun, n.d.). This misunderstanding arises from a lack of public knowledge about sexual violence against women. People think that cases of sexual violence are private and are therefore reluctant to discuss them in the public sphere.

One of the most prevalent types of trauma that women encounter is sexual violence, which is strongly linked to a number of psychopathological conditions, such as obsessive-compulsive bipolar disorder, post-traumatic stress disorder, substance abuse/dependence, eating disorders, depression, anxiety, and suicidal thoughts (O'Donohue & Schewe, 2019)(Bhuptani & Messman, 2023). In addition to having to deal with victim blaming, rape survivors also have to deal with mental disorders or mental illnesses that are perpetrated after the tragic event. Post-Traumatic Stress Disorder (PTSD) is a mental illness that often occurs in people who experience traumatic events; characterized by recurring nightmares, anxiety, and flashbacks related to their traumatic memories (Maslim, 2013). The enormous psychological impact experienced by victims of sexual violence coupled with secondary victimization experienced by victims certainly adds to the burden felt by victims.

The government has passed Law Number 12 of 2022 on the Crime of Sexual Violence (Law No. 12/2022). This law discusses clearly and in detail the criminal offense of sexual violence. According to article 4 paragraph 1 of Law No. 12/2022 concerning Criminal Acts of Sexual Violence, there are 9 (nine) types of criminal acts of sexual violence, including: a) non-physical sexual harassment; b) physical harassment; c) forced contraception; d) forced sterilization; e) forced marriage; f) sexual torture; g) sexual exploitation; h) sexual slavery; and i) online-based sexual violence(UU RI, 2022). Of the 9 (nine) types of criminal acts of sexual violence, there is sexual violence that has begun to develop a lot in this sophisticated era, namely online-based sexual violence or what is commonly referred to as online gender-based violence (KBGO). Overall, Law No. 12 of 2022 brings hope for the handling of KBGO in Indonesia. However, its effectiveness will largely depend on the commitment of all parties to implement, enforce, and socialize what has been stipulated in the law. Continued efforts are needed to ensure that this law can be optimally implemented and provide real protection for victims.

In 2023, there has been a rapid increase in cases of KBGO. Based on data from the Ministry of Women's Empowerment and Child Protection (Kementerian PPPA), the National Commission on Violence against Women (Komnas Perempuan), and the Service Providers Forum (FPL), there were 1,801 victims of KBGO(Komnas Perempuan, 2024). The factors that encourage the rapid increase in KBGO cases are acts of violence committed through digital media technology. These acts can take the form of insults, harassment, bullying, sexual exploitation, intimidation, or other forms of violence directed toward victims, particularly women. Victim blaming of victims of online-based sexual violence is usually found in negative comments made by social

media users on social media platforms. Of course, this can have a negative impact on the victim because the victim does not receive social support but instead has to read comments that corner and blame the victim (Afredo et al., 2023). Additionally, the rise in KBGO is significantly influenced by poor social norms, as patriarchal culture and social norms that denigrate women can perpetuate permissive attitudes towards online gender-based violence. Lack of education and awareness about women's rights and gender-based violence can make perpetrators unaware of the impact of online violence. Therefore, this article explores the following research questions: First, how is the concept of gender equality and justice in the patriarchal culture of society in Indonesia? Second, what is the impression of mass media and social media on cases of gender-based sexual violence? Third, how are victim blaming prevention efforts against victims of sexual violence in Law Number 12 of 2022?

2. Method

This research is normative legal research. Normative legal research involves examining and studying legal norms, rules, principles, doctrines, theories, and other relevant literature to address the legal problems under investigation (Muhaimin, 2020). The literature used in this research includes law books, journals, and law magazines, all of which align with the focus of studying legal issues. (Bachtar, 2019). Law No. 12/2022 serves as the primary legal material in this research. Secondary legal materials are journal articles, books, and research results that discuss victim blaming, sexual violence, KBGO, and patriarchal culture. Non-legal materials are legal dictionaries. The author selected and interpreted the literature in a systematic and critical manner. The criteria for selecting literature are based on the credibility of the author or reputable institution in the field of law, its relevance, and the actuality of the research topic. This is to ensure that the legal materials used are the most up-to-date in emerging legal issues. The interpretation of the selected, credible, relevant, and actual literature plays a crucial role in this research. This research utilizes normative and teleological interpretation. This research takes into account cultural or social factors that influence victim blaming due to the paradigm of women dressing openly, the rule of not going out at night, and the salty cat analogy as evidence that the environment in a patriarchal culture fails to create a safe space for women and other marginalized communities. This research uses a statutory approach and a conceptual approach by analyzing the handling of victim blaming in cases of sexual violence through prevention efforts contained in Law No. 12/2022.

3. Analysis and Results

3.1. The Concept of Gender Equality and Justice: Scrutinizing the Patriarchal Culture of Indonesian Society

People still equate the concepts of sex and gender even though these two things are different things. Sex is related to human biology that has been brought from birth, namely male and female. Meanwhile, gender relates to the roles, attitudes, and behaviors that a person carries both male and female. Gender is usually associated with feminine and masculine. Differences in gender views that occur in society create inequality between men and women, creating gender injustice. Society has the view that men have the nature of power, leadership, and are stronger. While women are the ones who bear the burden as a marginalized group, such as discrimination, harassment, exploitation, and so on (Guamarawati, 2009).

Women are considered weak and powerless and must submit to men. The concept that develops in society is the cause of sexual violence experienced by women. This concept makes women "dependent" on men. This dependence makes women tolerate the actions that occur to them. Whereas with the development of the times, women can also be empowered, independent and develop into qualified women. Gender differences in the household make the thought of women getting violence from their partners a common thing because women do not earn a living and only take care of the house and children. A wife still depends on her husband for her life, and if the wife resists the violence she experiences, her partner starts blaming her

that she is incompetent in taking care of the house. Even by reporting the violence, the wife is considered to be spreading family shame. The husband's actions are usually supported by his family, making the woman helpless and trapped in an unhealthy family cycle.

Therefore, this thinking must be straightened out in order to reduce the occurrence of victim blaming. According to Bongiorno, et al (2020) in many nations, including the US and Indonesia, sexual harassment is regarded as a type of sex discrimination (Bongiorno et al., 2020). The significance of cultural structures, attitudes, and habits is another significant and frequently disregarded factor that Obama's opening address brought to light as contributing to the ongoing tendency of victim blaming in cases of sexual violence (Gravelin et al., 2019).

According to Sari & Haryono (2019), patriarchy is a family pattern based on paternal lineage (Sari & Haryono, 2018). Patriarchal culture in Indonesia is a structural problem that affects individuals, groups, and society at large (Rabbaniyah & Salsabila, 2022). According to Darma, et al (2022) the strong patriarchal culture in society is typically the cause of rape and sexual harassment instances that victims endure (Darma et al., 2022). Most of the cultures that develop in Indonesia are patrilineal cultures. This culture affects the daily activities of Indonesian society, namely men are synonymous with earning a living and women are tasked with taking care of the household. Patriarchal culture results in women not being able to be equal to men, for example in terms of getting an education, the community will consider it strange if women can go to high school compared to men (Yusup et al., 2023).

Culture causes women to often become victims of violence, especially sexual violence. Nowadays, many women work in offices and require them to work until the night, men consider it strange and take advantage of it to commit an act that is not commendable by giving whistles that are verbal or physical sexual harassment (Nurbayani & Wahyuni, 2023). This is what makes women feel unsafe when working at night.

3.2. Impression of mass media and social media on Cases of Gender-based Sexual Violence

In the world of the press, writers do not realize that the language used in reporting is language that degrades women. Victim-blaming occurs because journalists do not understand the production of news texts and their meaning. Thus, the text in the news displays gender objectification and leads to pornography (Dhuha Najib & Sunarto, 2020). This is also supported by research from Indrasty, et al (2018) which sees the position of women as objects of news. Meanwhile, the press and police institutions act as subjects (Indrasty & Wibawa, n.d.). The media portrays women as inferior and marginalized objects by displaying vulgar and bad words. In addition, cases of harassment against women that are written about are also used as selling points to attract readers. The position of harassment victims who are cornered in the news, is violence committed by the media as the subject or the party in power over the writing in the news. Many negative comments connect the harassment case that happened to the victim with the clothes worn by the victim. When there was a defense of the victim, other comments appeared to support their argument that the victim was the cause of the harassment due to the use of revealing clothing, which is not a culture taught in Indonesia. In fact, according to Moor (2010) that cases of harassment are not related to the way women dress with women's desire to stimulate the perpetrator (Moor, 2010).

From several studies that explain how victim-blaming occurs in mass media and social media, it shows that the media has a role in KBGO. Numerous violent incidents involving KBGO are reported in online news. But occasionally, particularly in cases of sexual harassment, the dramatization of the relevant news causes the public to corner the victims, who are primarily women (Ihsani, 2021). The media becomes a gateway to see events that occur and a reflection that depicts facts. News content in the media, which is a construction of reality, utilizes language not only as a tool to build news, but also to determine the relief of a reality that affects the meaning that is constructed (Suryadi, 2011). Things that are displayed in the news will be easily remembered by readers. Thus, it is in understanding a reality that can influence society. There is research from Yusnia (2020) analyzing an article from Magdalene.co, which sees that

the violence article published in Magdalene.co shows words or sentence structures that explain women's suffering due to violence and consider men to be the cause of violence (Yusnia, B., & Satiti, 2020). This makes the women's side get support and sympathy from the general public. Therefore, the role of the media in building a reality that is not gender-biased is needed to obtain a balance so that victim-blaming does not occur.

In addition, there are efforts to monitor media coverage and educate journalists to avoid victim-blaming for sexual violence. This effort can be done by using media monitoring tools, such as Kazee Media Intelligence or Brand24, to monitor news and public comments related to issues of blaming victims of sexual violence. Meanwhile, efforts that can be made in educating journalists are that journalists are required to take training and competency tests and are encouraged to adhere to a code of ethics that emphasizes fairness, truth, and balance in reporting.

3.3. Efforts to Prevent Victim Blaming of Sexual Violence Victims by Law Number 12 of 2022

Victim blaming is very popular at this time, namely cases of sexual violence experienced by women as victims but blamed for serious impacts on the victims themselves. In the concept of victim blaming, women are mentioned in media coverage as both victims and catalysts for the rape they experienced (Santoso & Bezaleel, 2018). The premise of victim blaming is that someone becomes a victim because they are wrong (Muhammad, 2020).

Victim blaming has a detrimental effect on a lot of people, especially the victims (Faisal et al., 2023). According to a phenomena study on rape victims, the victims' desire to conceal the horror they had gone through was influenced by the experts' unfavorable responses (Wulandari & Krisnani, 2021). In the meantime, unfavorable responses from friends and family lead victims to place the blame on themselves (self-blame), and unfavorable responses from others leave victims unsure if the tragedy they went through was rape. It has been demonstrated that victims who constantly blame themselves experience higher levels of post-traumatic stress disorder, which has a detrimental impact on their self-esteem, faith in the future, belief in a fair society, and confidence in the legal system (Kurniawan, 2021). The decision to report the offender may also be adversely affected by victims' fear of being held accountable for the crime that occurred to them. According to Campbell & Raja (1999), the forms of actions that often blame victims are as follows (Campbell & Raja, 1999):

- a) Disbelieving the victim's story, lack of sensitivity and empathy causes many people when faced with women who are victims of sexual violence to disbelieve the victim's story and assume the victim is just making things up. In fact, just to tell what happened to her requires strength because she has to repeat the events she experienced and recall the incident.
- b) Blaming the victim, blaming the victim for what happened to her is a form of victim blaming. The community blames the victim for what happened to her. For example, if the victim likes to go out at night wearing tight clothes and then sexual violence occurs to her, victim blaming views it as the victim's fault for wearing inappropriate clothing that stimulates the lust of the perpetrator. Women going out at night has also become a taboo for society, without knowing the occupation of the victim and the reason why the victim has to go out at night, most people identify it with night work. The behavior of blaming the victim only adds to the burden experienced by the victim. Victims who experience sexual violence physically and also psychologically become worse off and cornered because of these views.
- c) Demeaning the severity of the assault received, an example of demeaning the severity of the attack received when someone experiences sexual violence, namely the perpetrator squeezing the victim's breasts, the reaction of others to the victim's story is, "Fortunately, only squeezing the breasts did not lead to rape". The reaction and response from others is something that is inappropriate to convey to the victim. The severity of the assault experienced by the victim can only be assessed medically, and laypeople cannot make an assessment of what the victim has experienced. The public will not know what suffering the victim has gone through and how the victim struggled to deal with the sexual violence she experienced.

d) Inappropriate treatment after the crime by those in authority, inappropriate treatment by those in authority, for example, is when the victim reports the sexual violence to the police. Police who are not professional in receiving reports will belittle the victim's story, be insensitive and unempathetic to the victim and even respond by blaming the victim for the crime that happened to her. Even though the police should be the safest place to report a crime, the police station is a place of refuge for victims and complain, but victims must experience additional victimization due to reporting the sexual violence they face to the police. Prolonged case handling and asking about the sexual violence she experienced repeatedly on the grounds of fulfilling evidence is also inappropriate treatment. In this increasingly sophisticated era, the proof of sexual violence must pay more attention to the best interests of the victim. According to Taylor (2020) the justice system and the attitude of officers in the field in handling acts of violence against women also play a role in shaping victim blaming against women victims of violence (Taylor, 2020). The nature of the system and the processes of interrogation, evidence collection, trial, and sentencing, often prove victim-blaming and contribute to significant victim blaming.

The phenomenon of victim blaming has several impacts on victims, namely as follows:

a) Feelings of shame for the victim, the act of blaming the victim makes the victim feel ashamed of herself and even feels that the violence that happened to her is a disgrace so it is not worth telling. Finally, the victim suppresses her own feelings. This will only add to the victim's suffering because they do not receive proper handling from the authorities and do not receive protection. It is feared that the victim will be sexually assaulted again, which can worsen the victim's condition. Victims tend to close themselves off, become insecure, and stay away from crowds because they are afraid that something will happen to them.

b) Fear of reporting cases of sexual violence, this impact arises due to inappropriate behavior from the authorities towards the victim. When the victim comes to the police station, she expects to be listened to by the police and get a good response but the police officers instead blame the victim for the crime she experienced. The police should provide a good response with polite and caring language. Many cases of sexual violence in Indonesia have gone viral because the police's delivery to the victim was inappropriate and caused the victim to become hurt. Therefore, if there are women who are victims of sexual violence cases, it is better if the report is received by police women and the victim tells it without being heard by others, namely in a special service room. Police officers who receive reports should also be trained in how to communicate and master standard operating procedures so that victims do not feel offended or confused because they are not explained in detail about the process.

The fear of reporting cases also arises as a result of the convoluted legal process in Indonesia. Victims must be examined many times by the police and then re-examined at the prosecutor's office and even at trial. This lengthy process leaves victims traumatized by the cases they have experienced, plus they have to prepare a lot of time and energy to carry out the cases they report. In addition, the views in the community are already different when knowing that victims report cases of sexual violence. The lack of knowledge about sexual violence cases in the community means that victims are ostracized and have a heavy burden.

c) Enduring her own suffering, victim blaming behavior causes victims to remain silent and keep their suffering to themselves rather than telling it to others who only add to the suffering by hearing judgments from the community, family and the surrounding environment. There is no place for the victim to take refuge. Of course, the impact that will result from victims enduring the suffering they experience is quite large in the future.

d) Experiencing prolonged trauma in the future, according to Firmanda, et al (2023) that sexual harassment can cause its own trauma for victims and sexual harassment affects the victim's psychology such as killing character and becoming the subject of conversation, and being extremely depressed and afraid of being ostracized (Firmanda et al., 2023). Victims who do not get good treatment in terms of psychology will experience prolonged trauma and of

course this will affect the victim's quality of life. Victims will recall the events they experienced in the past, curse themselves for the incident and often feel restless. Even when the victim has a family, the victim still remembers the incident that happened to her, the victim will feel guilty towards her life partner, plus if her partner does not provide support and even blames her, the trauma experienced by the victim will be prolonged. The support of the closest people, such as the victim's family and friends, is needed in healing the wounds felt by the victim.

e) Depression, depression is an emotional condition characterized by sadness, fear, feelings of uselessness, feelings of guilt, withdrawal from others, difficulty sleeping, loss of appetite and sexual desire, loss of interest and pleasure in usual daily activities (Shopiani et al., 2021). Wolhuter (2008) states that the most psychological suffering experienced by women victims of violence is post-traumatic stress disorder and major depression (Wolhuter et al., 2008). Coupled with victim blaming will worsen the victim's situation. People or the surrounding environment who have never experienced or faced sexual violence will feel that the victim is fine. In fact, when the victim himself or asked again related to the case he experienced, the victim will feel emotional, afraid, and even cry. That is what indicates that the victim has suffered from depression due to sexual violence.

f) Attempts to commit suicide, suicide attempts are the last step taken by victims of injustice and pain they feel. The victim thinks that by committing suicide the problems in her life will be resolved. Some news on social media and mass media conveyed news that women victims of sexual violence committed suicide because they did not get support from the closest people and even the law was not in their favor.

According to Darma, et al (2022) legal protection is a right that all parties must receive, law enforcement, government officials, and society at large are responsible for providing victims with legal protection (Darma et al., 2022). As human beings with rights and responsibilities, it is our duty to ensure legal protection. A victim protection system consists of the following: the presence of victim protection mechanisms within the judiciary; updates to laws, such as those pertaining to trial procedures and new evidentiary rules for upholding human rights; protocols developed and agreed upon by judicial institutions and communities as well as institutions that assist victims to ensure coordination of protection and empowerment efforts; training for judges, prosecutors, and police to develop knowledge and ability to run the victim protection system properly; and the ease with which victims can access assistance services, such as trauma counseling, for their recovery and empowerment even if they decide not to pursue legal action. Law No. 12/2022 on the Crime of Sexual Violence was passed by the Government of the Republic of Indonesia and the House of Representatives on April 12, 2022 and came into force on May 9, 2022. This law discusses in detail the legal regulation of sexual violence in Indonesia which is an update of the previous law that contains the substance of preventing all forms of sexual violence, protecting and restoring victims, law enforcement and social rehabilitation, and creating an environment without sexual violence. New breakthroughs in the Sexual Violence Law that can reduce and prevent victim blaming are strengthening the implementation of the principle of integrated service delivery through one stop services, the behavior of investigators in handling sexual violence cases; and the fulfillment of victims' rights in the form of handling, protection and recovery. The following is the explanation:

a) One Stop Services, according to Article 1 Point 13 of Law No. 12/2022 on Criminal Acts of Sexual Violence, Integrated Services is the provision of integrated, multi-faceted, cross-functional and sectoral services for victims, families of victims, and/or witnesses of criminal acts of sexual violence. The integrated service mechanism is an integrated system from various parties, namely as follows: 1) The police in handling reports and complaints from the public; 2) Medical services, namely community health centers, regional public hospital, and private hospital; 3) Psychological services, namely police psychologists, the Integrated Service Center for Women and Children Empowerment (P2TP2A), and Regional Technical Implementation Unit for Women and Children Protection (UPTD PPA); 4) Assistance consisting of the P2TP2A,

UPTD PPA, Witness and Victim Protection Agency (LPSK), Social Services, Health Workers, Psychologists, Psychiatrists, Legal Assistance consisting of Advocates and Paralegals, and other assistants; 5) Safe house services consisting of the Social Service, P2TP2A, and LPSK; and 6) Interpreters for persons with disabilities, namely the Social Service, Special Schools, Private Institutions, and so on.

The mechanism for handling criminal acts of sexual violence with integrated services: 1) The victim makes a report at the police after telling the case of sexual violence she experienced; 2) When making a report and consulting with the police, the victim has received assistance from P2TP2A, UPTD PPA, and legal counsel; 3) In the service of making a report, each party has assessed the needs of the victim and provided input related to determining the article that was violated; 4) Issuance of a police report recommendation; 5) Performing a post mortem at community health center, bhayangkara hospital, regional public hospital, and private hospital; 6) Commencement of the investigation stage in the form of examination of the victim and witnesses; 7) A case title is conducted to determine whether the reported incident is a criminal incident or not. If it is a criminal event, the process continues to the investigation stage, otherwise the investigation is terminated; 8) At the investigation stage, the investigator has coordinated with the prosecutor's office regarding the reported case. If it has fulfilled 2 (two) pieces of evidence, forced efforts are made in the form of arrest, detention, and confiscation. If it has not fulfilled 2 (two) pieces of evidence, the investigation is stopped; 9) Investigators do the filing and the file is sent to the prosecutor's office. Then the prosecutor will issue a P21, which is a notification that the investigation is complete; and 10) The handover of suspects and evidence to the Public Prosecutor is carried out in an integrated manner to provide full support to victims so that victims do not feel burdened in carrying out the legal process.

b) Investigator Behavior, in processing cases of sexual violence, investigators are required to be professional, transparent, and accountable. According to Article 21 of the Law No. 12/2022, investigators, prosecutors, and judges who handle cases of sexual violence must meet the following requirements: 1) have integrity and competence in handling cases with a human rights and victim perspective; and 2) have attended training related to handling cases of sexual violence.

Most victims of sexual violence are women, so when consulting with the police, it is carried out by female police officers who have met the requirements. Usually there will be a sense of awkwardness from the victim when consulting with male police. This is solely due to the comfort of the victim. Consultations are held in the Special Service Room (RPK) so that the victim's confidentiality can be maintained. Such small details must be considered because the victim comes for protection against himself and hopes that the perpetrator will be punished for his actions.

In addition, communication between investigators and victims must also be considered, do not let investigators utter sentences that can make victims become embarrassed and feel guilty (victim blaming). This is included in the ethics of law enforcement officials in dealing with victims and is regulated in Article 22 of the Law No. 12/2022, which states that: "Investigators, Public Prosecutors and judges conduct examinations of witnesses / victims / suspects / defendants while upholding human rights, honor and dignity without intimidation and not justifying mistakes, not victimizing ways of life and morality, including sexual experience with questions that are tricky or that traumatize victims or that are not related to criminal acts of sexual violence".

It can be explained that investigators must not intimidate and justify the victim's guilt, which means by asking persistent questions without paying attention to the victim's psychological condition. Investigators must also not victimize the victim's way of life and morality, for example from the victim's way of dressing, the victim's way of socializing, and the victim's occupation. In addition, investigators are not allowed to ask questions related to the victim's sexual experience that is not related to the case because this is the victim's personal domain,

which if asked, will cause embarrassment for the victim. All of these activities are efforts to prevent and reduce victim blaming from law enforcement officials. The police, prosecutor's office, and judiciary are the places for victims to obtain justice for the sexual violence that occurred to them.

c) Victim Handling, Protection, and Recovery, one of the objectives of Law No. 12/2022 is to handle, protect, and restore victims, which in its implementation is the authority of the UPTD PPA as regulated in Presidential Regulation No. 55/2024 concerning Regional Technical Implementation Units for the Protection of Women and Children (PERPRES RI, 2024). The authority referred to is: 1) Receiving reports or victim outreach; 2) Providing information about victims' rights; 3) Facilitating the provision of health services; 4) Facilitating the provision of psychological strengthening services; 5) Facilitating the provision of psychosocial services, social rehabilitation, and social reintegration; 6) Provide legal services; 7) Facilitating economic empowerment needs; 8) Facilitating temporary shelter needs for victims that need to be met immediately; 9) Facilitating the needs of victims with disabilities; and 10) Coordinating the fulfillment of victims' rights with other institutions.

4. Conclusion

The things that cause victim blaming are the concept of gender equality and justice, the patriarchal culture, mass media, and online media. Forms of victim blaming consist of not believing the victim's story, blaming the victim, downplaying the severity of the attack received, and inappropriate treatment after the crime by those in authority. The impact of victim blaming is a feeling of shame on the victim, fear of reporting cases of sexual violence, enduring their own suffering, experiencing prolonged trauma even in the future, depression, attempted suicide. To prevent and reduce the occurrence of victim blaming, Law No. 12/2022 on the Crime of Sexual Violence was established. New breakthroughs in the Sexual Violence Crime Law that can reduce and prevent victim blaming are strengthening the implementation of the principle of integrated service delivery through one stop services; the behavior of investigators in handling sexual violence cases; and the fulfillment of victims' rights in the form of handling, protection, and recovery. In addition, there are efforts to monitor media coverage and educate journalists to avoid victim-blaming for sexual violence. Kazee Media Intelligence, or Brand24, is a media monitoring tool to monitor news and public comments related to issues of blaming victims of sexual violence. Educating journalists is done by providing training and competency tests to ensure every journalist understands and adheres to a code of ethics that emphasizes fairness, truth, and balance in sensitive reporting without adding to the suffering of victims. If Law No. 12/2022 is effective, the community will have a better understanding of victims' rights, a greater awareness of the detrimental impact on victims, and a greater sense of empathy and social support for victims.

References

- Adolfsson, K. (2018). *Blaming Victims of Rape: Studies on Rape Myths and Beliefs About Rape* [Gothenburg University]. <https://gupea.ub.gu.se/handle/2077/57769>
- Afredo, A., Khoerunnisa, A. R., Fitriani, A., & Astuti, N. F. (2023). Persepsi Mahasiswa Tangerang Mengenai Victim Blaming Dalam Pelecehan Seksual. *Das Sollen : Jurnal Kajian Kontemporer Hukum Dan Masyarakat*, 1(2), 1-19. <https://doi.org/10.11111/dassollen.xxxxxx>
- Bachtiar, B. (2019). *Metode Penelitian Hukum*. Unpam Press.
- Bhuptani, P. H., & Messman, T. L. (2023). Role of blame and rape-related shame in distress among rape victims. In *Psychological Trauma: Theory, Research, Practice, and Policy* (Vol. 15, Issue 4, pp. 557-566). Educational Publishing Foundation. <https://doi.org/10.1037/tra0001132>
- Bongiorno, R., Langbroek, C., Bain, P. G., Ting, M., & Ryan, M. K. (2020). Why women are blamed for being sexually harassed: The effects of empathy for female victims and male perpetrators. *Psychology of Women Quarterly*, 44(1), 11-27. <https://doi.org/10.1177/0361684319868730>
- Campbell, R., & Raja, S. (1999). Secondary victimization of rape victims: Insights from mental health professionals who treat survivors of violence. In *Violence and Victims* (Vol. 14, Issue 3, pp. 261-275). Springer Publishing.

- Darma, I. M. W., Triwulandari, I. G. A. A. M., & Bunga, D. (2022). Victim Blaming: Labeling for Women Victims of Sexual Violence in Human Rights Perspective. *International Journal of Law Reconstruction*, 6(2), 212. <https://doi.org/10.26532/ijlr.v6i2.23887>
- Dhuha Najib, F., & Sunarto. (2020). Blaming the Victim: Objektifikasi Korban Kekerasan Seksual Dalam Pemberitaan Di Media Online Balairungpress.Com. *Interaksi Online*, 8(2), 53–63. <https://ejournal3.undip.ac.id/index.php/interaksi-online/article/view/27401>
- Faisal, F., Ghazali, M., Umar, M. H., & Djafar, M. M. M. (2023). *Perempuan Sebagai Korban Kekerasan Seksual: Apakah Hukum Sudah Cukup Memberikan Keadilan*.
- Firmanda, H., Azlina, I. I. S., & Septipah, I. (2023). Perlindungan Korban Kekerasan Seksual yang Mengalami Victim Blaming di Media Sosial Berdasarkan Aliran Realisme Hukum. *Reformasi Hukum*, 27(1), 38–49. <https://doi.org/10.46257/jrh.v27i1.489>
- Gravelin, C. R., Biernat, M., & Bucher, C. E. (2019). Blaming the victim of acquaintance rape: Individual, situational, and sociocultural factors. In *Frontiers in Psychology* (Vol. 9). Frontiers Media S.A. <https://doi.org/10.3389/fpsyg.2018.02422>
- Guamarawati, N. A. (2009). Suatu kajian kriminologis mengenai kekerasan terhadap perempuan dalam relasi pacaran heteroseksual. In *Jurnal Kriminologi Indonesia* (Vol. 5, Issue 1, pp. 43–55). <http://journal.ui.ac.id/index.php/jki/article/view/1255/1160>
- Ihsani, S. N. (2021). Kekerasan Berbasis Gender dalam Victim-Blaming pada Kasus Pelecehan yang Dipublikasi Media Online. *Jurnal Wanita Dan Keluarga*, 2(1), 12–21. <https://doi.org/10.22146/jwk.2239>
- Indrasty, R., & Wibawa, D. (n.d.). Rojudin.(2018). Gender dalam Kasus Kekerasan terhadap Perempuan di Media Online [UIN Sunan Gunung Djati Bandung]. In *Jurnal Komunikasi Jurnalistik* (Vol. 3). <https://digilib.uinsgd.ac.id/23406/>
- Komnas Perempuan. (2023). Kekerasan terhadap Perempuan di Ranah Publik dan Negara: Minimnya Perlindungan dan Pemulihan. *Catatan Tahunan Komnas Perempuan Tahun 2022*. <https://komnasperempuan.go.id/siaran-pers-detail/catahu-2020-komnas-perempuan-lembar-fakta-dan-poin-kunci-5-maret-2021>
- Komnas Perempuan. (2024). *Siaran Pers Gerak Bersama dalam Data: Laporan Sinergi Database Kekerasan Terhadap Perempuan Tahun 2023*. Komisi Nasional Anti Kekerasan Terhadap Perempuan. [https://komnasperempuan.go.id/siaran-pers-detail/siaran-pers-gerak-bersama-dalam-data-laporan-sinergi-database-kekerasan-terhadap-perempuan-tahun-2023#:~:text=Kekerasan berbasis gender online \(KBGO\) juga menjadi perhatian khusus karena,positif atas pelunc](https://komnasperempuan.go.id/siaran-pers-detail/siaran-pers-gerak-bersama-dalam-data-laporan-sinergi-database-kekerasan-terhadap-perempuan-tahun-2023#:~:text=Kekerasan berbasis gender online (KBGO) juga menjadi perhatian khusus karena,positif atas pelunc)
- Kurniawan, W. (2021). *Jorge Luis Borges, Realisme Magis, dan Filsafat*. BASABASI.
- Maslim, R. (2013). Diagnosis gangguan jiwa. In *Ilmu Kedokteran Jiwa FK-Unika Atmajaya*. PT Nuh Jaya.
- Moor, A. (2010). Relation to Blaming the Victims of Sexual Violence Relation to Blaming the Victims of Sexual Violence. *Journal of International Women's Studies*, 11(4), 115–127. <https://vc.bridgew.edu/jiws/vol11/iss4/8>
- Muhaimin. (2020). *Metode Penelitian Hukum*. Mataram University Press.
- Muhammad, I. (2020). Pengaruh Perilaku Menyalahkan Korban dalam Tindak Pidana Asusila di Indonesia. *JOM Fakultas Hukum Universitas Riau*, 7(2), 1–15. <https://jnse.ejournal.unri.ac.id/index.php/JOMFHUKUM/article/view/28875>
- Nurbayani, S., & Wahyuni, S. (2023). *Victim Blaming in Rape Culture* (Issue May).
- Nurisman, E. (2022). Risdalah Tantangan Penegakan Hukum Tindak Pidana Kekerasan Seksual Pasca Lahirnya Undang-Undang Nomor 12 Tahun 2022. *Jurnal Pembangunan Hukum Indonesia*, 4(2), 170–196. <https://doi.org/10.14710/jphi.v4i2.170-196>
- O'Donohue, W., & Schewe, P. (2019). *Handbook of Sexual Assault and Sexual Assault Prevention*. <https://doi.org/10.1007/978-3-030-23645-8>
- Organization, W. H. (2012). *Understanding and addressing violence against women: Intimate partner violence*. World Health Organization.
- Paripurna, A., Astutik, S. H., Prilian Cahyani, S. H., MH, L. L. M., Kurniawan, R. A., & SH, M. (2021). *Viktologi dan sistem peradilan pidana*. Deepublish.
- PERPRES RI. (2024). UNIT PELAKSANA TEKNIS DAERAH PERLINDUNGAN PEREMPUAN DAN ANAK DENGAN RAHMAT TUHAN YANG MAHA ESA Menimbang Mengingat PRESIDEN REPUBLIK INDONESIA. *Peraturan.Bpk.Go.Id*, 205145, 205145–205161. <https://peraturan.bpk.go.id/Details/283290/perpres-no-55-tahun-2024>
- Rabbaniyah, S., & Salsabila, S. (2022). Patriarki Dalam Budaya Jawa; Membangun Perilaku Pembungkaman Diri Pada Perempuan Korban Seksual Dalam Kampus. *Community : Pengawas Dinamika Sosial*, 8(1), 113. <https://doi.org/10.35308/jcps.v8i1.4586>
- Rahmi, A. (2021). *The Elimination of Sexual Violence Bill: Prevention Effort and Access to Justice for Victim*. 592(Iclhr), 451–455. <https://doi.org/https://doi.org/10.2991/assehr.k.211112.058>
- Rocky Marbun, S. H. (n.d.). *Kapita selekta penegakan hukum (acara pidana mengungkap aspek ideologis*

- (kepentingan) dalam interpretasi hukum sebagai truth-games. Publica Indonesia Utama.
- Santoso, B. A., & Bezaleel, M. (2018). Perancangan Komik 360 sebagai Media Informasi tentang Pelecehan Seksual Cat Calling. *ANDHARUPA: Jurnal Desain Komunikasi Visual & Multimedia*, 4(01), 14–24. <https://doi.org/10.33633/andharupa.v4i01.1544>
- Sari, K. W., & Haryono, C. G. (2018). HEGEMONI BUDAYA PATRIARKI PADA FILM (Analisis Naratif Tzvetan Todorov Terhadap Film Kartini 2017). *Jurnal SEMIOTIKA*, 12(1), 1–26. <https://doi.org/https://dx.doi.org/10.30813/sjk.v12i1.1542>
- Sastrawati, N. (2012). Hukum Sebagai Sistem Integrasi: Pertimbangan Nilai “Keperawanan” dalam Kasus Perkosaan. *Al Daulah: Jurnal Hukum Pidana Dan Ketatanegaraan*, 1(1), 76–104. https://journal3.uin-alauddin.ac.id/index.php/al_daulah/article/view/1464
- Shopiani, B. S., Wilodati, W., & Supriadi, U. (2021). Fenomena Victim Blaming pada Mahasiswa terhadap Korban Pelecehan Seksual. *Sosietas*, 11(1), 13–26. <https://doi.org/10.17509/sosietas.v11i1.36089>
- Suryadi, I. (2011). Peran Media Massa dalam Membentuk Realitas Sosial. *Academica: Majalah Ilmu Sosial Dan Ilmu Politik*, 3(2). <http://jurnal.untad.ac.id/jurnal/index.php/academica/article/view/2283>
- Taylor, J. (2020). *Why women are blamed for everything: exposing the culture of victim-blaming*. Hachette UK.
- UU RI. (2022). Undang-Undang Republik Indonesia Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual. *Kementerian Sekretariat Negara Republik Indonesia*, 1(69), 1–84.
- Wolhuter, L., Olley, N., & Denham, D. (2008). *Victimology: Victimisation and victims' rights*. Routledge-Cavendish.
- Wulandari, E. P., & Krisnani, H. (2021). Kecenderungan Menyalahkan Korban (Victim-Blaming) Dalam Kekerasan Seksual Terhadap Perempuan Sebagai Dampak Kekeliruan Atribusi. *Share: Social Work Journal*, 10(2), 187. <https://doi.org/10.24198/share.v10i2.31408>
- Yusnia, B., & Satiti, N. L. U. (2020). *Analisis Framing Majalah Daring Magdalene.Co Mengenai Kekerasan Perempuan*. Universitas Muhammadiyah Surakarta.
- Yusup, A., Komariah, S., & Nurbayani, S. (2023). Identity Politics & Power Relations Against Sexual Violence in Religious Higher Education Environment. *Jurnal Paedagogy*, 10(3), 831–838. <https://doi.org/https://doi.org/10.33394/jp.v10i3.7715>