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## Patterns of Handling Victims of Sexual Violence on Women with Disabilities

**Bokiesula Syarifah Yactum Latuconsina<sup>1</sup>, Chazizah Gusnita<sup>2</sup>**

<sup>1</sup> Faculty of Social Sciences and Global Studies, Budi Luhur University, Jakarta, Indonesia, [2043501309@student.budiluhur.ac.id](mailto:2043501309@student.budiluhur.ac.id)

<sup>2</sup> Faculty of Social Sciences and Global Studies, Budi Luhur University, Jakarta, Indonesia, [chazizah.gusnita@budiluhur.ac.id](mailto:chazizah.gusnita@budiluhur.ac.id)

Corresponding Author: [2043501309@student.budiluhur.ac.id](mailto:2043501309@student.budiluhur.ac.id)

**Abstract:** Research on the pattern of handling cases of sexual violence against women with disabilities involved several agencies such as National Commission On Violence Against Women, National Commission for Disabilities, HWDI and the PPAPP Office regarding the forms of handling carried out in handling cases of sexual violence. This research uses qualitative methods with data collection techniques through structured interviews with related parties and literature studies. Because of their vulnerability, this research aims to explore patterns of handling sexual violence cases against women with disabilities, focusing on prevention, protection and rehabilitation efforts. The data collected was analyzed using social learning theory in the hope that patterns of handling sexual violence cases can be improved to ensure effective and inclusive protection for all individuals. The results show that the handling of sexual violence cases against women with disabilities still faces various challenges, including lack of awareness, access to services, and discrimination. This research makes an important contribution to understanding the dynamics of handling sexual violence cases against women with disabilities and provides a basis for developing more effective policies and intervention practices to protect their rights.

**Keywords:** Handling, Persons With Disabilities, Sexual Violence, Social Learning, Woman.

### INTRODUCTION

The phenomenon of violence often occurs in society. In The Social Work Dictionary, Barker & Robert define violence as an inappropriate behavior that causes physical, psychological, and financial loss or harm experienced by a group of people or individuals (Barker & L Robert, 2014). Violence can occur in various forms including physical violence, economic violence, psychological violence and sexual violence (Harnoko, 2010). Women are the most vulnerable victims of sexual violence. National Commission On Violence Against Women found fifteen forms of sexual violence from the results of its monitoring for fifteen years (1998-2013), namely sexual intimidation, trafficking in women for sexual purposes, sexual harassment, forced pregnancy, forced prostitution, forced contraception and

sterilization, forced marriage, sexual exploitation, forced prostitution, sexual slavery, forced abortion, sexually nuanced traditional practices that endanger or discriminate against women, sexual torture, inhuman punishment and sexual control including through discriminatory rules based on morality and religion (National Commission On Violence Against Women, 2013).

Quoting from the Annual Note of National Commission On Violence Against Women in 2023, when viewed from the data on complaints about violence against women in the public sphere by National Commission On Violence Against Women and Service Institutions, it shows that victims of sexual violence are the type of violence that continues to be complained about by victims in the public sphere with a percentage reaching 50% for Service Institutions and 68% for National Commission On Violence Against Women. Electronic-based sexual violence occupies the highest position with 991 cases, accounting for 35.4% of the total cases. Followed by sexual harassment with 711 cases. In addition, there were 180 cases of sexual abuse, 143 cases of rape and 72 cases of sexual intercourse and 575 other cases involving sexual violence. The most common perpetrators of sexual violence in 2023 are those closest to the victim. The data shows that cases with ex-boyfriends amounted to (550 cases); boyfriends amounted to (462 cases); and husbands amounted to (174 cases). Followed by cases of sexual exploitation which increased significantly from (24 cases) in 2022 to (64 cases) in 2023. Due to the increase in cases that occurred, it is necessary to take further action to combat this problem (National Commission On Violence Against Women, 2024).

Reporting from the Ministry of Women's Empowerment and Child Protection (Kemen PPA) related to data on sexual violence and several other types of violence that occurred in Indonesia in 2023 shows that:

**Table 1. Data on sexual violence cases and other types of violence that occur**

No	Case	Total
1	Sexual Violence	13,156 cases
2	Physical Violence	10,500 cases
3	Psychic Abuse	9,050 cases
4	Exploitation	368 cases
5	Trafficking	456 cases
6	Neglect	2,763 cases
7	More	3,801 cases

Source: databoks.katadata.co.id (data reprocessed by researchers)

Of these details, the highest case was sexual violence with 13,156 cases. Followed by the category of physical violence with 10,500, followed by psychological violence with 9,050 cases. From the number of incoming reports, it can be seen together that most victims are women with a total of 26,161 victims while men are 6,332 victims (Databoks, 2024).

Sexual violence often affects women due to stereotypes that place them as weak and inferior beings compared to men. In addition, the level of fear of crime in women is much higher than in men (Sumera Marcheyla, 2013). It cannot be denied that cases of sexual violence can occur to anyone even people with disabilities, especially women. The multiple vulnerabilities of persons with disabilities lead to stigmatization in society. Stigmatization in society for women as well as people with disabilities is valued as weak and unenergetic people, which is a factor in sexual violence (Kamilla Azhar et al., n.d.). Due to the multiple vulnerabilities they have, it is highly expected that the government and related institutions in this study such as National Commission On Violence Against Women, National Commission for Disabilities, the Indonesian Disabled Women's Association (HWDI) and the DKI Jakarta PPAPP Office to handle in accordance with the main tasks and functions of each agency starting from receiving complaints, assisting victims to handling cases of sexual violence

against women with disabilities so that in the end victims of sexual violence will get their rights and their safety can be guaranteed.

## **METHOD**

In this study, researchers applied a descriptive qualitative approach, which is rooted in the philosophy of post-positivism. This method is used to investigate natural phenomena, where the researcher acts as the main instrument, data collection techniques are diverse, analysis is inductive / qualitative, and emphasis is more on meaning than generalization in the results (Prof. Dr. Sugiyono, 2022). Robert C. Bogdan and Sari Knopp Biklen (1998) provide characteristics related to qualitative research, namely: Naturalistic, Descriptive Data, Concern with Process, Inductive and Meaning (Bogdan & Biklen, 1998). To obtain relevant data and information, this research involved several research subjects, including National Commission On Violence Against Women, National Commission for Disabilities, DKI Jakarta PPAPP Office, Indonesian Disabled Women's Association, and victims of sexual violence against women with disabilities. This research uses primary and secondary data collection techniques, which are strategic steps to achieve the main objective of research, namely obtaining data (Sugiyono, 2022).

Primary data was obtained directly from primary sources through structured interviews, including with agencies related to appropriate handling patterns. In addition, this research also involved an interview with one of the victims of sexual violence against women with disabilities. Meanwhile, secondary data was used to gather additional information and support the analysis, including from various sources such as literature, books, scientific journals, websites and other relevant sources. This is important to complement and ensure the veracity and authenticity of the research results. Secondary data can also come from graphic documents such as tables, notes, text messages, photographs, and so on (Arikunto, 2010).

## **RESULTS AND DISCUSSION**

### **Sexual Violence against Women with Disabilities**

According to article 4 paragraph (1) in the Law of the Republic of Indonesia Number 12 of 2022 concerning Criminal Acts of Sexual Violence, there are several forms of sexual violence including non-physical sexual harassment, physical sexual harassment, forced contraception, forced sterilization, forced marriage, sexual torture, sexual exploitation, sexual slavery and electronic-based sexual violence. It is undeniable that criminal acts of sexual violence can occur to anyone, even to persons with disabilities.

Persons with disabilities are known as "disabled". The use of the word "disabled" is considered better than using the word "disability". In addition, the term "disabled" has the same meaning as different ability which means "having different abilities" (Sholeh, 2015). According to the international classification of disability, impairment and limitation, there are three main aspects: impairment, disadvantage and limitation. Impairment refers to an abnormal change or loss in physical, psychological or anatomical structure or function. A disadvantage, also called a handicap, is the negative impact felt by an individual as a result of an impairment or disability that limits or inhibits the ability to perform normally performed roles. A limitation, also known as disability, is the inability or loss of ability to perform activities normally performed by humans, and this is influenced by various factors such as age, gender, and social and cultural aspects, including discrimination (World Health Organization, 1980).

According to Law of the Republic of Indonesia Number 8 of 2016 on Persons with Disabilities, "Disability is any person who experiences physical, intellectual, mental and/or sensory limitations for a long period of time who in interacting with the environment may experience obstacles and difficulties to participate fully and effectively with other citizens based on equal rights." The law also describes various types of disabilities, including physical

disabilities that refer to impaired movement functions such as amputation, paralysis, paraplegia, Cerebral palsy (CP), the effects of stroke, leprosy, and other bodily disabilities. Sensory disabilities are also discussed, which refer to impairments of one of the human senses such as vision, hearing and speech. Visual disability in particular refers to an impairment or damage to one's sense of sight so that it does not function optimally. Deafness is a person's inability to hear at a sound frequency of 90 decibels (db) or more (Yasin & Apsari, 2020). As expressed by Hallahan and Kauffman, hearing disabilities can generally be categorized into "hearing loss" and "deafness", including hearing difficulties from mild to severe. Deafness can be defined as people who lose their hearing so that there are obstacles in conveying information through hearing, whether using hearing aids or not. While hearing loss means people who can still directly receive information conveyed by using hearing aids (Hallahan, Kauffman, & Pulen, 2020).

Furthermore, Speech Disability refers to a situation where a person experiences barriers in the ability to speak. This can be due to a variety of factors, including dysfunction or deficiencies of organs necessary for speech such as the mouth, palate, tongue, and vocal cords. In addition, issues such as hearing loss, delays in language development, damage to the nervous system, and muscle problems can also affect a person's ability to speak well (Wiranda & Putro, 2019). Next, mental disabilities involve impairments in cognitive, emotional, and behavioral functioning, such as psychosocial disorders and developmental disabilities like autism and hyperactivity that affect social skills. Schizophrenia includes several types, such as bipolar, depression, anxiety, and personality disorders. Intellectual disabilities indicate impairments in cognitive functioning due to having a below-average level of intelligence, such as learning difficulties, mild mental disabilities and down syndrome. Finally, multiple disabilities, also known as multiple disabilities, refer to conditions where a person experiences two or more types of disabilities, such as hearing-speech impairment and visual-deafness.

In an interview with one of the victims of sexual violence against women with disabilities, the victim with the initials "Y" (disguised) experienced sexual violence in her marriage. The victim admitted that the sexual violence she experienced was in the form of forced sexual intercourse, sexual harassment such as forced to take off her clothes/pants and forced to record a sexy video of the victim which the perpetrator threatened to disseminate. The victim was in a relationship with the perpetrator for approximately seven months. "Y" said that she was forced to have intercourse every day. During the interview with the victim, she told us that it was not only sexual violence that she experienced but also physical violence. She mentioned that her husband was a violent person. In addition, her husband was also unemployed and irresponsible. All her husband wanted was to have sex without providing for the family. She also explained that her husband became hypersexual due to his addiction to porn videos. Due to the coercion of intercourse by her husband every day, the victim with the initials "Y" experienced sexual trauma. The victim finally decided to divorce her husband in 2023. This case was not reported by the victim to the relevant parties because she felt sorry for her children.

### **Patterns of Handling Victims of Sexual Violence in Women with Disabilities**

The handling of sexual violence against women with disabilities is still not optimal because there is still a lack of understanding and awareness regarding sexual violence against people with disabilities, quoted from National Commission On Violence Against Women, when violence occurs it is not easy to process because law enforcement officials often require visual testimony when a crime occurs. Law enforcement officials demand testimony from sighted people or people who can see visually, so that blind disabilities will be used by perpetrators of violence or other crimes. For cases of rape of blind women if they want to reach the court, the case is reduced to sexual abuse on the grounds that the testimony is

considered invalid / doubtful (Hutabarat Rainy et al., 2020). Therefore, attention is needed from related institutions such as National Commission On Violence Against Women, National Commission for Disabilities, the Indonesian Disabled Women's Association (HWDI), and the PPAPP Office to handle in accordance with the main duties and functions of each agency starting from receiving complaints, assisting victims to handling cases of sexual violence against women with disabilities so that eventually victims of sexual violence will get their rights and their safety can be guaranteed.

#### 1. National Commission on Violence Against Women

The issue of sexual violence against women with disabilities has increased from the previous year. Quoting from National Commission On Violence Against Women Annual Report, in 2022 data on violence against women with disabilities from service institutions amounted to 72 cases (National Commission On Violence Against Women, 2023) while in 2023 there was an increase of 105 cases (National Commission On Violence Against Women, 2024). From these data, it can be explained that women with disabilities are very vulnerable to becoming victims of sexual violence. In cases of sexual violence against women with disabilities, the National Commission on Violence Against Women only receives complaints and then will be referred to service institutions according to the domicile of the victim. Based on the results of interviews with commissioners of the National Commission on Violence Against Women, it was explained that National Commission On Violence Against Women did not have a mandate to handle cases. They only receive complaints and then refer them to service agencies National Commission On Violence Against Women as a national human rights institution does not have the authority to handle or assist victims. National Commission On Violence Against Women itself has a Complaints Unit for Referral (UPR) which is tasked with receiving incoming complaints. After the complaint is received, the identity of the victim, the chronology and if the identity of the perpetrator is known, further questions will be asked. In addition, more details will be asked whether this case has just been complained about or has been reported to the police. If it is still early in the complaint process to National Commission On Violence Against Women, it will be asked what the needs are whether legal assistance or psychological assistance is needed, which will be referred to service institutions according to the victim's domicile such as LBH or the nearest UPTD. If the case has reached the police and there are obstacles in the process, the needs will be asked. If a recommendation letter is needed to accelerate the handling of the case, a recommendation letter from the National Commission on Violence Against Women will be provided to accelerate the case. From the interview above, it can be concluded that National Commission On Violence Against Women only receives complaints. Although it does not handle cases of sexual violence against women with disabilities directly, National Commission On Violence Against Women also conducts studies which will then be analyzed because later partner organizations such as UPTD P2A, LBH Apik, disabled people's organizations such as HWDI and Women's Crisis Center Organizations and other organizations that work together in handling/assisting these cases will make reports to National Commission On Violence Against Women regarding the process, obstacles, and others.

#### 2. PPAPP Office

Regarding cases of sexual violence against women with disabilities, the PPAPP Office handles these cases through the Technical Implementation Unit (UPT) of the Women and Children Protection Center (PPA). Regarding cases of sexual violence against women with disabilities, UPT PPA mostly handles cases of women with intellectual disabilities. Women with intellectual disabilities are very vulnerable to becoming victims of sexual violence due to their powerlessness and disability (Irawan, 2023). Not only intellectual disabilities, UPT PPA handles cases of sexual violence

against women with disabilities starting from reporting until later it will be referred or not to a safe house or safe house. For the handling flow, it starts with receiving complaints. Victims of violence or the victim's family or the surrounding environment or anyone can report to the Jakarta PPA center through various channels such as through the Jakarta hotline 112, coming directly to the office in Pulo Gadung or coming to 35 complaint posts owned. Then after making a complaint, an initial assessment will be carried out by the case manager. This initial assessment aims to explore the conditions and needs of the victims. If the needs have been identified, if he is threatened with his life, threatened with his life, physically threatened, he will be referred to a safe house or safe house owned by the social service. But if the risk of threat is low, then there is no need to refer to a safe house. If the victim is identified with other needs, such as legal process assistance, they will get legal services, if they need counseling, they will access counseling services. In handling cases of sexual violence against women with disabilities, UPT PPA also explained that the surrounding community has an important role because cases of sexual violence are social issues that involve other people. Starting from preventing sexual violence, being more aware and willing to be involved in supervising individuals with disabilities around them. The community is also expected to have a role in reducing stigma on victims of violence, especially women with disabilities, so that they do not experience repeated violence and experience stigma in society. The community is also expected to be able to assist the victim's recovery process by accessing connected institutions.

### 3. National Commission on Disability

For cases of sexual violence against women with disabilities, the duties and institutional functions of the National Commission on Disability are to carry out monitoring evaluation and advocacy related to the protection of persons with disabilities. In carrying out its duties, the National Commission on Disability carries out institutional functions. The first is to plan activities, the second is to carry out the monitoring and evaluation process, the third is to carry out the advocacy process and the fourth is to collaborate with various parties related to disability protection. From these duties and functions, the handling of cases of sexual violence against women with disabilities has two mechanisms, the first being the DITA 143 complaint. This channel is an aspiration complaint channel related to various matters concerning respect for disability protection, including the occurrence of TPKS. The second is if there are cases that do not go through the DITA 143 channel but through networks, media, and others, including the National Commission on Disability. In carrying out its duties and functions, the National Commission on Disability has three outputs, namely recommendations, if the case is hampered in the police, then the KND will write directly to the chief of police, National Police, and the chief of police. Furthermore, the referral or referral system is used if the victim needs a safe house or DNA test, it will be referred. And finally, there is mediation. In this mediation, the context is not Restorative Justice, but how legal stakeholders including persons with disabilities can relate well in accordance with their respective duties and functions whether as victims, witnesses, or law enforcement officers. For handling, it will be done depending on the case. Like the case report that came in in West Sumatra, the case has been assisted by LBH Padang, they said that this case is slow to handle, meaning that it is already in the realm of law but there is a delay due to many rights that occur, it could be from investigation to investigation to p21 and so on. So the handling of the case depends on the aspect of the complaint, then it will be analyzed and will be related to the KND team regarding what we can do. Furthermore, it will also be asked whether there has been trauma healing or not, DNA testing or not according to the case. The National Commission on Disability has a duty not to provide services or provide assistance. The context carried out by National Commission for Disabilities is to

analyze the chronology, then collaborate with other parties related to handling legal aspects, handling assistance, handling trauma healing, handling DNA tests (if needed) and can also help to refer to legal aid institutions. In essence, National Commission for Disabilities is used as a bridge including with other human rights institutions such as National Commission On Violence Against Women, National Commission on Human Rights Indonesia because of the limitations in its obligations and authority, National Commission for Disabilities does not have the function of conducting investigations so that National Commission on Human Rights Indonesia is needed to conduct investigations. When victims need a safe house and need witnesses and victim protection, KND will ask the Witness and Victim Protection Agency (LPSK).

#### 4. Indonesian Disabled Women's Association

The Indonesian Women with Disabilities Association (HWDI) was founded on September 9, 1997 in Jakarta in response to a global call to protect and empower women with various physical, sensory, mental and intellectual disabilities. The majority of its board and members are women with these disabilities. HWDI is also an organization that fights for the rights of women with disabilities in providing assistance in sexual violence against women with disabilities. In an interview with an HWDI counselor, it was explained that HWDI usually gets reports or requests from the police PPA unit regarding complaints of violence against persons with disabilities. In addition, HWDI also works with LBH Apik if there are cases related to the law. HWDI is more of a psychological companion. If there is a complaint that goes to LBH Apik, they will ask HWDI to assist the victim. In relation to the results of the interviews that have been conducted, it can be concluded that the Disabled Women's Association located in the Special Region of Jakarta handles cases of sexual violence against women with disabilities by assisting victims. Usually incoming reports are requested from the police PPA unit and LBH Apik which are needed to assist victims of sexual violence against women with disabilities. The HWDI assistance process starts from legal assistance, social assistance and health assistance (Farakhiyah & Apsari, 2018).

### **Social Learning Theory Analysis of Sexual Violence Cases against Women with Disabilities**

Albert Bandura introduced Social Learning Theory in 1977, which is a concept that evolved from the behaviorism approach in psychology. In this theory, Bandura emphasizes the importance of the influence of the social environment in shaping individual behavior, where individuals learn through observation, imitation, and reinforcement from others around them. The theory gained popularity because it provides a broader understanding of how behavior is learned and develops in a social context. Social learning theory sees the development of an individual's personality as a reaction to social influences, highlighting the social environment as a strong determinant. More than just an individual's inner thoughts, this theory emphasizes that a person's identity is not only determined by their subconscious, but also by the individual's response to the expectations placed on them by others. A person's behavior and attitudes develop because of the encouragement or reinforcement received from their social environment (Bandura, 1974).

Bandura proposed four mediating processes that are important in determining whether a person will imitate a behavior after exposure to a model. This interview's analysis of Social Learning Theory highlights the influence of the social environment on the formation of individual behaviors and responses to sexual violence. Here is the analysis:

#### 1. Attention

The attentional process is key because exposure to a model alone is not enough to guarantee that a person will pay attention to it (Bandura, 1972). The model must attract the observer's attention and the model's behavior must be perceived as worthy of

imitation. This determines whether the behavior will be imitated or not. In this case, the victim's husband used pornographic content as a model for his wife to emulate. He used threats and physical violence to force the victim to have sexual intercourse. The victim was forced to imitate the harmful and unethical behavior exhibited by her husband.

## 2. Retention

Bandura highlighted the process of retention in imitation, where individuals store in their minds the model's behavior in symbolic form. To imitate successfully, the observer must be able to store the behavior in memory, allowing it to be repeated in the future (Bandura, 1972). In an interview with one of the victims, "Y" (initials) admitted that the victim's husband used threats and coercion to record a sexual video of him as a form of negative reinforcement to force the victim to perform the behavior he wanted. The threat to spread the video is a consequence aimed at reinforcing the desired behavior so that retention of the violence occurs.

## 3. Motoric Reproduction

This process relates to a person's ability to perform the behavior that the model has just demonstrated. While a person may want to imitate the behavior, their physical capabilities may be limiting. For example, a 90-year-old woman may not try to imitate complex movements while watching Dancing on Ice due to her physical limitations. In the interview, the motor reproduction process could be related to the victim's statement that her husband, who is an adult movie addict, may expect or force her to have continuous sexual intercourse as in the adult movie.

## 4. Motivation

Motivation and reinforcement processes refer to the perceived consequences of imitating the model's actions. A person will be more likely to imitate a behavior if they believe that the benefits outweigh the costs (if any). Conversely, if the reinforcement gained from imitating the behavior is not considered important, then it is unlikely that the behavior will be imitated. In the interview, the victim stated that unsupportive social environmental conditions also motivated her husband in this case. The victim's husband was described as abusive, unemployed and irresponsible. The environment around the victim may not have provided enough support or may not have fully understood the situation faced by the victim so violence was inevitable.

These four factors that have been analyzed are very important in the process of designing appropriate treatment patterns for sexual victims of women with disabilities.

## CONCLUSION

The results of research related to patterns of handling cases of sexual violence against women with disabilities are of particular concern. Women with disabilities are very vulnerable victims of sexual violence. The policy can focus on Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence. In the handling process, the National Commission on Disability and the PPAPP office are interrelated, starting from the incoming complaint until finally being referred or not to a safe house or safe house. For the National Commission on Women, they do not have a mandate to handle or assist cases of sexual violence against women with disabilities but only receive incoming complaints which are then forwarded to related service institutions. For the Indonesian Women with Disabilities Association (HWDI), they will provide assistance, namely social, legal and or health assistance. It was also mentioned that HWDI is more about psychological assistance. For cases of sexual violence against women with disabilities, from the interviews that have been conducted, it is stated that the perpetrators of sexual violence against people with disabilities are usually the closest people to the victims.

This research is associated with social learning theory by Albert Bandura because the theory emphasizes the importance of observational learning where individuals acquire new



behaviors by observing others. In this context, handling victims of sexual violence in women with disabilities, this theory can be applied by understanding how individuals learn coping mechanisms, seek support, and develop resilience through observing others who have faced similar situations. By linking principles from social learning theory, interventions can be designed to empower victims, provide them with positive role models, and enhance their ability to navigate and recover from traumatic experiences.

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