



AN ANALYSIS OF THE PSYCHOSOCIAL IMPACT OF UNREPORTED AND LATE-REPORTED SEXUAL CRIMES ON VICTIMS IN INDONESIA

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ABSTRACT

This study examines the psychosocial impact of unreported and late-reported sexual crimes and their implications for victims' recovery and rehabilitation in Indonesia. Delayed reporting intensifies psychological harm and contributes to long-term conditions that hinder individual functioning and social reintegration. Employing an empirical juridical approach through a systematic literature review, this study finds that delayed reporting exacerbates trauma manifestations, including posttraumatic stress disorder, depression, and anxiety, while reinforcing social withdrawal. Data from the South Sulawesi Regional Police indicate that approximately 99% of reported sexual violence cases were reported late. Furthermore, Makassar City Police data (January–August 2024) show that only 2.2% of reported cases reached the prosecution stage (P21), while 32.6% were terminated (SP3) due to evidentiary constraints commonly associated with late reporting. Law Number 12 of 2022 on Sexual Violence Crimes marks a major legal reform by prioritizing victims' rights, broadening sexual violence definitions, and recognizing diverse evidentiary forms. Nevertheless, its effectiveness remains limited by evidentiary challenges and socio-cultural barriers, particularly the *Siri'* norm. This study concludes that the success of the UU TPKS depends on integrated institutional implementation and broader cultural transformation.

A. INTRODUCTION

Sexual crimes represent one of the most devastating forms of human rights violations; yet, ironically, they remain among the most underreported crimes in the world.¹ This phenomenon of unreported crime reflects a discrepancy between the actual number of crimes committed and those officially recorded, a concept in criminology commonly referred to as the "dark figure of crime."² National studies indicate that sexual violence in Indonesia remains significantly underreported due to legal, cultural, and institutional barriers that limit victims' access to justice.³ The contributing factors include the victim's fear, feelings of shame, lack of trust in law enforcement authorities, and unawareness that a particular act constitutes a criminal offense. National legal studies show that sociocultural values strongly influence reporting behavior and often weaken the effectiveness of formal legal mechanisms.⁴ In Indonesia, this phenomenon has become a serious concern that demands in-depth examination. Data from the National Commission on Violence Against Women (*Komnas Perempuan*) consistently indicate that the number of recorded sexual violence cases represents only the tip of the iceberg, while the vast majority never reach the legal domain.⁵ This underreporting phenomenon occurs not only at the national level but also represents a global issue that demands serious attention from various stakeholders.

In the context of sexual crimes, there exists an important chronological relationship between unreported crimes and late-reported crimes. Sexual offenses often begin as unreported crimes due to trauma or social stigma and later develop into late-reported crimes once the victims gain the courage to come forward.⁶ Thus, late-reported crimes represent a transitional stage from unreported crimes to reported ones. This process reflects the victims'

¹ Brittany M. Fraser, Elisa Pica, dan Joanna D. Pozzulo, "The Effect of Delayed Reporting on Mock-Juror Decision-Making in the Era of #MeToo," *Journal of Interpersonal Violence* 37, no. 13–14 (2021): 1791.

² Alfred Biderman dan Albert J. Reiss Jr., "On Exploring the 'Dark Figure' of Crime," *The Annals of the American Academy of Political and Social Science* 374, no. 1 (1967): 13.

³ Budiarti, W., "Kekerasan Seksual di Indonesia: Analisis Data dan Tantangan Sistem Hukum," *Jurnal Hukum dan Peradilan* 9, no. 3 (2020): 436.

⁴ Suteki, "Budaya Hukum dan Hambatan Penegakan Hukum Kekerasan Seksual," *Masalah-Masalah Hukum* 48, no. 3 (2019): 326.

⁵ Komisi Nasional Anti Kekerasan terhadap Perempuan (Komnas Perempuan), *Catatan Tahunan (CATAHU) Kekerasan terhadap Perempuan: Membuka Ruang, Memberi Suara* (Jakarta: Komnas Perempuan, 2020).

⁶ Nils Christie, "The Ideal Victim," dalam *From Crime Policy to Victim Policy*, ed. Ezzat A. Fattah (London: Macmillan, 1986), 19.

psychological and social transformation from a phase of silence to a phase of disclosure.⁷ This study focuses on late-reported crimes as representations of unreported crimes that eventually come to light, allowing for an empirical examination of the impacts of the non-reporting period experienced by victims.

The low rate of reporting is caused by various interrelated and complex factors. Socio-cultural values and public perceptions continue to play a decisive role in discouraging victims from reporting sexual violence cases to law enforcement authorities.⁸ Social stigma attached to victims serves as a major obstacle, as society often engages in *victim blaming* toward those who experience such crimes.⁹ Fear, stigma, and distrust toward law enforcement are dominant factors contributing to delayed reporting.¹⁰ Deep feelings of shame, distrust toward the judicial system, and threats from perpetrators further aggravate the situation.¹¹ In several regions of Indonesia, local cultural factors also play a significant role in hindering reporting. In South Sulawesi, the concept of *Siri'*, which emphasizes shame and family honor, significantly influences victims' reluctance to report sexual crimes, thereby directly affecting the initiation of criminal investigations and the availability of admissible evidence in the criminal justice process.¹² Consequently, a hidden cycle of violence emerges, in which victims suffer in silence while perpetrators remain unaccountable.

Recent data from several regions in Indonesia reveals an alarming situation. In Aceh Province, widely known as the "Veranda of Mecca" (*Serambi Mekkah*) due to its strong Islamic identity, an irony emerges in the form of high rates of sexual violence. According to the Aceh Office for Women's Empowerment and Child Protection (*Dinas Pemberdayaan Perempuan dan Perlindungan Anak/DPPA*), 571 cases of violence against women and children were recorded in 2022, increasing to 634 cases in 2023, with sexual violence against children being the most prevalent at 164 cases.¹³ In Makassar City,

⁷ Judith Lewis Herman, *Trauma and Recovery: The Aftermath of Violence* (New York: Basic Books, 1992), 36.

⁸ Kurniawan, A. T., "Persepsi Masyarakat terhadap Kekerasan Seksual dan Implikasinya pada Kebijakan Publik," *Jurnal Kebijakan dan Administrasi Publik* 24, no. 1 (2020): 24.

⁹ Dadang Hartanto, "Stigma dan Dukungan Sosial bagi Korban Kekerasan Seksual," *Jurnal Ilmu Sosial dan Humaniora* 11, no. 1 (2020): 86.

¹⁰ Penny Naluri Utami, "Pelaporan Tindak Pidana Kekerasan Seksual dan Faktor Penghambatnya," *Jurnal De Jure* 21, no. 1 (2021): 92.

¹¹ W. Budiarti, "Kekerasan Seksual di Indonesia: Analisis Data dan Tantangan Sistem Hukum," *Jurnal Hukum dan Peradilan* 9, no. 3 (2020): 436.

¹² A. T. Kurniawan, "Persepsi Masyarakat terhadap Kekerasan Seksual dan Implikasinya pada Kebijakan Publik," *Jurnal Kebijakan dan Administrasi Publik* 24, no. 1 (2020): 23.

¹³ Askia Ul Haq Bakry, Putri Ghina Arizqia, Thifany Rizky Putri Dahily, Raini Hasna, Risma Yanti, and Netty Herawati, "Fenomena Kekerasan Seksual di Lingkungan Pendidikan Islam di Kota Langsa," *Jurnal Kesehatan Tambusai* 6, no. 1 (2025): 2893.

data from the Makassar Metropolitan Police (*Polrestabes Makassar*) between January and August 2024 show that out of 46 reported cases of sexual harassment, only 27 cases (58.7%) proceeded to investigation, 3 cases (6.5%) reached the inquiry stage, and merely 1 case (2.2%) was declared complete (*P21*). Even more concerning, 15 cases (32.6%) were terminated (*SP3*), primarily due to insufficient evidence resulting from delayed reporting.¹⁴ Meanwhile, in Bekasi, 266 reports of sexual violence were recorded in 2022, with the majority of victims being women and children.¹⁵

Delayed or non-reporting carries serious and multidimensional consequences, particularly for victims. Victims who choose not to report sexual crimes often experience severe psychological trauma that affects various aspects of their lives, ranging from personality development and social relationships to academic and professional performance. From a legal perspective, this condition demonstrates the urgency of adopting a victim-centered justice approach within the criminal justice system to prevent secondary victimization.¹⁶ Empirical legal and psychological studies at the national level confirm that delayed reporting exacerbates trauma and prolongs victims' recovery processes.¹⁷ These effects are not merely short-term but can persist throughout a victim's lifetime, creating neurobiological scars that disrupt brain function and the nervous system. International research indicates that the psychological impact of sexual violence is significantly more severe than that of non-sexual physical violence, underscoring the distinct nature of trauma experienced by victims.¹⁸

From a victimological perspective, victims of sexual violence constitute a vulnerable group requiring special protection.¹⁹ The protection of victims' rights constitutes an integral element of a human rights-based criminal justice

¹⁴ Anisa Faradilla, Sutiawati Sutiawati, and Andika Prawira Buana, "Penegakan Hukum Terhadap Tindak Pidana Pelecehan Seksual di Kota Makassar," *Jurnal Dialogica* 1, no. 1 (2025): 53.

¹⁵ A. W. Tama, "Analisis Hukum terhadap Penetapan Kasus Pelecehan Seksual di Bekasi Menurut Kitab Undang-Undang Hukum Pidana," *Referendum: Jurnal Hukum Perdata dan Pidana* 1, no. 4 (2024): 229.

¹⁶ Haris Nugroho, "Victim-Centered Justice dalam Penanganan Kekerasan Seksual," *Jurnal Hukum dan Peradilan* 10, no. 2 (2021): 217.

¹⁷ Ulayat Wahidin, "Dampak Kekerasan Seksual terhadap Kesehatan Mental Korban: Studi di Bandung," *Jurnal Psikologi Ulayat* 6, no. 2 (2019): 129.

¹⁸ Jason Schnittker, "What Makes Sexual Violence Different? Comparing the Long-Term Associations of Sexual and Non-Sexual Physical Violence with Psychological Distress," *SSM – Mental Health* 2 (2022): 100055.

¹⁹ Anindita Putri, Dinda Arini Persodo, Shafa Anjani Heri Nordi, Keysa Farhah, Widya Ayu Kemalasari, Jonathan Rahardian Susiloputra, Nadia Fadila Salma Setiadi, "Tinjauan Viktimologi terhadap Korban Kekerasan Seksual yang Rentan Hak dan Perlindungan Hukumnya," *Deposisi Widyakarya* 3, no. 2 (2025): 196.

system.²⁰ From a victimological perspective, victims of sexual violence occupy a vulnerable position that requires special legal protection and procedural safeguards.²¹ Their rights are often neglected within the legal process, including the right to protection, assistance, rehabilitation, and restitution. This condition reflects the need for reform in criminal procedural law to accommodate victim-oriented evidentiary approaches.²² The adoption of a victim-centered approach has therefore become increasingly crucial to ensure that legal proceedings do not exacerbate the trauma suffered by victims. However, in practice, many victims perceive the justice system as insufficiently sensitive to their psychological conditions, which may worsen their trauma and erode trust in legal institutions.²³

This condition necessitates an in-depth study to comprehensively understand the realities faced by victims, particularly those who report their cases late. The enactment of Law Number 12 of 2022 on Sexual Violence Law (*Undang-Undang Tindak Pidana Kekerasan Seksual/UU TPKS*) marks a historical milestone and a new hope in the effort to protect victims in Indonesia. Nevertheless, its effectiveness remains highly dependent on institutional readiness and consistency of implementation.²⁴ This law not only broadens the definition of sexual violence crimes but also introduces mechanisms for victim protection and recovery that are more oriented toward restorative justice.²⁵ The UU TPKS regulates various forms of sexual violence previously unrecognized under the Indonesian Criminal Code (*Kitab Undang-Undang Hukum Pidana/KUHP*), including non-physical sexual harassment, electronic-based sexual violence, and forced contraception.

Although perspectives toward such incidents often remain subjective and biased viewing victims as responsible for the events they experienced this perception reflects a limited understanding of the multifaceted nature of sexual

²⁰ U. P. Sihombing, "Hak Korban dalam Sistem Peradilan Pidana Indonesia," *Jurnal HAM* 10, no. 1 (2019): 47.

²¹ Anindita Putri, Dinda Arini Persodo, Shafa Anjani Heri Nordi, Keysa Farhah, Widya Ayu Kemalasari, Jonathan Rahardian Susiloputra, Nadia Fadila Salma Setiadi, "Tinjauan Viktimologi terhadap Korban Kekerasan Seksual yang Rentan Hak dan Perlindungan Hukumnya," *Deposisi Widyakarya* 3, no. 2 (2025): 198.

²² Adi Sulistiyono, "Reformasi Hukum Acara Pidana dan Perlindungan Korban," *Jurnal Rechtsvinding* 9, no. 1 (2020): 4.

²³ Fitha Ayun Lutvia Nitha, Ali Masyhar, Achmad Cholidin, M. Ridho Ilahi, and Amalina Zukhrufatul Bahriyah, "Optimalisasi Implementasi UU TPKS: Tantangan dan Solusi dalam Upaya Penghapusan Kekerasan Seksual di Indonesia," *Masalah-Masalah Hukum* 53, no. 1 (2024): 42.

²⁴ Uswatun Hasanah, "Implementasi UU TPKS dalam Perspektif Penegakan Hukum," *Jurnal Legislasi Indonesia* 20, no. 3 (2023): 405.

²⁵ Lembaga Bantuan Hukum (LBH) Pengayoman UNPAR, Transformasi Hukum bagi Perlindungan Perempuan di Indonesia Pasca Sahnya Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual (UU TPKS) (2022).

violence. In reality, rape is only one among many forms of sexual violence, encompassing diverse manifestations and unimaginable *modus operandi*.²⁶ In addition, the law recognizes alternative forms of evidence, such as psychological examination results, which are highly relevant in cases reported belatedly, where physical evidence is no longer available.²⁷ Psychological evidence is particularly crucial in cases where physical traces are no longer available due to delayed reporting.²⁸

However, the effectiveness of this new legal framework in encouraging reporting and overcoming societal barriers remains to be tested and analyzed further. The implementation of the UU TPKS in practice faces several challenges, ranging from limited resources among law enforcement officials and a lack of public understanding of the new provisions to deeply rooted cultural barriers. On the other hand, proactive initiatives have begun to emerge from law enforcement agencies to promote public awareness. The South Sulawesi Regional Police (*Polda Sulawesi Selatan*), for instance, initiated the "Raise and Speak" program to educate communities that reporting is not a violation of *Siri'*, but rather a preventive measure to protect potential future victims. This program has shown positive results, evidenced by an increase in reported cases in 2025.²⁹

Based on the aforementioned background, this study formulates two main research questions:

1. How does unreported sexual crime affect the victims' personality development and social life?
2. What are the forms and effectiveness of legal efforts in raising public awareness regarding unreported sexual crimes?

This study aims to conduct an in-depth analysis of the psychosocial impacts experienced by victims as a result of delayed reporting, as well as to evaluate the effectiveness of legal measures particularly following the implementation of the Sexual Violence Law (*UU TPKS*) in creating an ecosystem that empowers victims to report their cases. The novelty of this research lies in its focus on the variable of delayed reporting as a crucial factor influencing both the victims' condition and the law enforcement process, while

²⁶ Agus Salim, Sudarno, dan Muhadar, *Aspek Kriminologis Sanksi Pidana Kebiri Kimia Pelaku Kekerasan Seksual Terhadap Anak* (Jakarta: Karya Bakti Makmur Indonesia, 2023), 69.

²⁷ Muhammad Iqbal, Anis En Nabillah, Radhali Radhali, and T. M. Rafsanjani, "Penerapan Ilmu Forensik Dalam Pembuktian Tindak Pidana Kasus Kekerasan Seksual," *Jurnal Hukum dan Kemasyarakatan* 7, no. 1 (2025): 75–93.

²⁸ Dwi Putri Rahayu, "Kekerasan Seksual dan Pembuktian Psikologis dalam Hukum Pidana," *Amanna Gappa* 30, no. 2 (2022): 148.

²⁹ Fitha Ayun Lutvia Nitha, Ali Masyhar, Achmad Cholidin, M. Ridho Ilahi, and Amalina Zukhrufatul Bahriyah, "Optimalisasi Implementasi UU TPKS: Tantangan dan Solusi dalam Upaya Penghapusan Kekerasan Seksual di Indonesia," *Masalah-Masalah Hukum* 53, no. 1 (2024): 45.

situating the analysis within the relatively new legal framework of the *UU TPKS* in Indonesia.³⁰ Furthermore, this study integrates empirical data from several regions in Indonesia (South Sulawesi, Makassar, Bekasi, and Aceh) to provide a more comprehensive understanding of the phenomenon of delayed reporting and its broader impacts.³¹

B. RESEARCH METHODS

This study employs an empirical juridical method, which examines the implementation or application of normative legal provisions in practical settings. This approach was chosen to bridge the gap between the analysis of legal texts (*das sollen*) and the social realities that occur in society (*das sein*) concerning the handling of sexual violence cases that are reported belatedly. The empirical juridical method enables the researcher not only to analyze existing legal norms but also to evaluate how these norms are implemented in practice and the obstacles encountered in the field.³² A qualitative approach was adopted, utilizing both case study and literature study strategies.³³ The case study focuses on the handling of cases within the jurisdiction of the South Sulawesi Regional Police (*Polda Sulawesi Selatan*), selected due to the region's unique cultural characteristics particularly the *Siri'* culture—which significantly influence the reporting of sexual violence. Meanwhile, the literature study was conducted to establish a theoretical foundation and enrich the analysis with findings from previous research, both national and international in scope. The literature review includes an examination of academic journals, books, research reports, and relevant legal documents.

The data sources in this research consist of primary and secondary data. Primary data were obtained through in-depth interviews with qualified informants from the South Sulawesi Regional Police (*Polda Sulawesi Selatan*), namely Kasmawati, S.Sos., M.H., Head of the Planning and Administration Subdivision of the Directorate of General Criminal Investigation (*Kasubbagrenim Direktorat Reserse Kriminal Umum*), who provided insights into investigative procedures, evidentiary challenges, and mechanisms for handling belatedly reported sexual violence cases; and Costantia Huwae, S.H., M.H., an investigator at the Women and Children Protection Unit (*Unit Perlindungan Perempuan dan Anak/Unit PPA*), who contributed perspectives on victim protection, cultural barriers, and the practical implementation of the

³⁰ Kementerian Riset, Teknologi, dan Pendidikan Tinggi Republik Indonesia, Rencana Induk Riset Nasional Tahun 2017–2045, edisi 28 Februari 2017 (Jakarta, 2017).

³¹ Anisa Faradilla, Sutiawati Sutiawati, and Andika Prawira Buana, "Penegakan Hukum Terhadap Tindak Pidana Pelecehan Seksual di Kota Makassar," *Jurnal Dialogica* 1, no. 1 (2025): 54.

³² Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2010).

³³ Direktorat Riset, Teknologi, dan Pengabdian kepada Masyarakat (DRTPM), *Panduan Penelitian dan Pengabdian kepada Masyarakat Tahun 2024* (Jakarta, 2024).

Sexual Violence Law (UU TPKS) in the field. These interviews were conducted using a structured interview guide to gather information on reporting procedures, evidentiary constraints, the impact of delayed reporting, institutional coordination, cultural barriers, and proactive measures taken by authorities.

Secondary data consist of statutory materials, including the 1945 Constitution of the Republic of Indonesia, the Indonesian Criminal Code (KUHP), Law Number 12 of 2022 on Sexual Violence Law (UU TPKS),³⁴ Aceh Qanun Number 6 of 2014 on Jinayat Law,³⁵ and Aceh Qanun Number 9 of 2019 on the Implementation of Handling Violence Against Women and Children.³⁶ Additional secondary legal materials include academic journals, books, research reports, articles, and other relevant documents discussing the impact of sexual violence, delayed reporting, and related legal policies.

The data were analyzed using qualitative juridical analysis by systematically examining interview findings and legal documents to assess their relevance to legal consequences and evidentiary challenges in criminal proceedings. The analysis involved several stages: transcription and coding of verbatim interview data to identify key themes related to obstacles and law enforcement practices; synthesis of literature sources to build a strong theoretical framework and identify recurring patterns in previous studies; triangulation of primary and secondary data to comprehensively address the research questions and validate the findings; and a comparative analysis across different regions (South Sulawesi, Makassar, Bekasi, and Aceh) to identify general trends and regional variations in handling late-reported sexual violence cases.

C. DISCUSSION

1. The Impact of Unreported Sexual Crimes on Victims' Personality Development and Social Life

This research successfully collected primary data through in-depth interviews with two key informants from the South Sulawesi Regional Police, both of whom possess professional competence and direct experience in handling sexual violence cases. The findings from these interviews provide a comprehensive picture of the realities surrounding the handling of late-reported sexual violence cases, covering procedural aspects, evidentiary challenges, and region-specific sociocultural barriers.

³⁴ Undang-Undang Republik Indonesia Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual.

³⁵ Qanun Aceh Nomor 6 Tahun 2014 tentang Hukum Jinayat.

³⁶ Qanun Aceh Nomor 9 Tahun 2019 tentang Penyelenggaraan Penanganan Kekerasan Terhadap Perempuan dan Anak.

The first informant, Kasmawati, S.Sos., M.H., provided an overview of procedures and challenges in handling sexual violence cases from a law enforcement perspective, particularly those reported after a delay. According to the informant, all reports of sexual violence whether reported immediately or belatedly are processed through the Integrated Police Service Center (*Sentra Pelayanan Kepolisian Terpadu/SPKT*) in accordance with established procedural regulations. There is no procedural distinction for delayed reporting; however, delayed cases present significant challenges in terms of evidence. Once a report is filed, the case is forwarded to the criminal investigation division, where investigators must first assess whether the reported incident constitutes a criminal act and whether it can be supported by at least two admissible forms of evidence before proceeding to the next stage.

Delayed reporting substantially complicates the evidentiary process due to the loss or absence of physical evidence, such as medical examination results, biological traces, the victim's clothing, or the original condition of the crime scene. National legal scholarship emphasizes that evidentiary difficulties constitute a central obstacle in prosecuting sexual violence cases.³⁷ Legal studies emphasize that evidentiary constraints, particularly in delayed-reporting cases, remain a major obstacle in prosecuting sexual violence effectively.³⁸ In response to these limitations, investigators frequently rely on psychological or psychiatric examinations as alternative supporting evidence. As explained by the informant, although scientific evidence may no longer be available when a report is filed long after the incident, the case can still be processed through psychological assessments of the victim. These examinations may also extend to the victim's close relatives and, in some cases, to the suspect, in order to understand behavioral or emotional changes following the incident. The results of such assessments are recognized as legally admissible evidence within the investigative process.

The informant further noted that delayed reporting often leads to longer investigation periods compared to cases reported promptly. In terms of impact, underage victims frequently experience immediate consequences such as school dropout, while long-term effects include uncertain life prospects and disrupted future planning. Despite these challenges, the informant emphasized that both promptly reported and delayed cases are entitled to equal access to legal assistance, protection, and rehabilitation services.

³⁷ S. Rokhmadi, "Pembuktian dalam Tindak Pidana Kekerasan Seksual dan Tantangan Hukum Acara Pidana," *Jurnal Hukum & Pembangunan* 51, no. 3 (2021): 572.

³⁸ Muhammad Iqbal, Anis En Nabillah, Radhali Radhali, and T. M. Rafsanjani, "Penerapan Ilmu Forensik Dalam Pembuktian Tindak Pidana Kasus Kekerasan Seksual," *Jurnal Hukum dan Kemasyarakatan* 7, no. 1 (2025): 78.

Handling sexual violence cases involves institutional coordination beyond the police. The police work in synergy with various institutions, including the Regional Technical Implementation Unit for Women and Children Protection (*Unit Pelaksana Teknis Daerah Perlindungan Perempuan dan Anak/UPTD PPA*), the Social Affairs Office, and non-governmental organizations such as Indonesian Women's Association for Justice (*Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan/LBH APIK*). While the police focus primarily on law enforcement, rehabilitation and recovery services are managed by other institutions with appropriate facilities and resources. Victims are also not restricted to reporting cases directly to police stations; reports may be submitted through hospitals, *UPTD PPA* offices, or women and child advocacy organizations. Medical personnel in hospitals have received integrated training to conduct medical examinations (*visum et repertum*) and coordinate further handling with law enforcement or advocacy institutions.

Regarding reporting patterns, the informant explained that specific statistical data on delayed reporting are not systematically recorded. Identifying delayed cases requires manual examination of case files by comparing the date of the incident with the date of reporting. The informant noted that delayed reporting is more commonly found among adult victims, particularly in cases involving prior romantic relationships, where consensual relations may later be reported as sexual offenses following the termination of the relationship. In contrast, children constitute the majority of victims overall, although they tend to report cases more promptly through guardians or institutions.

The second informant, Costantia Huwae, S.H., M.H., provided a focused perspective on victim protection, cultural barriers, and reporting patterns of sexual violence in South Sulawesi. One of the most striking findings revealed by the informant is that approximately 99% of victims who eventually report sexual violence do so after a delay. This figure illustrates the magnitude of delayed reporting in the region and underscores the importance of examining the factors that prevent victims from reporting promptly.

The informant emphasized that delayed reporting has direct implications for the victim's recovery process. The longer the delay in reporting, the longer and more complex the rehabilitation period tends to be.³⁹ Although all victims experience trauma, delayed reporting exacerbates psychological harm and prolongs recovery, demonstrating that late reporting affects not only legal proceedings but also deepens the victim's suffering.

³⁹ E. R. Dworkin et al., "Sexual Assault Victimization and Psychopathology: A Review and Meta-Analysis," *Clinical Psychology Review* 56 (2017): 68.

A major contributing factor to delayed reporting in South Sulawesi is the cultural concept of *Siri'*, which is closely associated with family honor and shame. According to the informant, this cultural norm often discourages victims from reporting sexual violence, as cases are frequently resolved "within the family," including through forced marriages between victims and perpetrators. This phenomenon demonstrates that cultural factors can be a powerful deterrent, often outweighing the desire for legal justice. Such practices not only violate the victim's rights but also reinforce impunity for offenders and obstruct access to formal justice mechanisms.

From a legal standpoint, the informant confirmed that the enactment of Law No. 12 of 2022 on Sexual Violence Crimes (*Undang-Undang Tindak Pidana Kekerasan Seksual / UU TPKS*) introduced a progressive legal framework by differentiating reporting time limits. This provision reflects the law's pro-victim orientation, particularly toward vulnerable groups. The absence of a reporting deadline for child victims is especially vital, as many survivors are only able to articulate their trauma years later, when they are sufficiently mature to understand what occurred.

To address cultural barriers and encourage reporting, the South Sulawesi Regional Police have implemented proactive initiatives, including collaboration with civil society organizations. The police actively collaborate with the Indonesian Women's Association for Justice (*Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan/LBH APIK*), which often serves as an intermediary for victims who are hesitant to approach law enforcement directly. Such collaboration enables victims to receive initial support before filing formal reports.

In terms of procedure, the informant explained that victims are not required to present initial evidence when filing a report. However, when reports are filed too late, obtaining evidence becomes increasingly difficult, ranging from medical results and witness statements to CCTV recordings that may no longer be available. To mitigate these evidentiary limitations, psychological assessments of victims have proven extremely valuable for investigators in handling sexual violence cases.

Overall, the informant stressed that delayed reporting of sexual violence is not merely an administrative postponement, but a prolonged period of suffering that deepens and extends the victim's trauma. The consequences are not confined to the moment of the incident; they permeate the structure of the victim's personality and the fabric of their social life over the long term. Sexual violence leaves profound psychological scars that are often invisible to the naked eye. Research indicates that trauma resulting from sexual violence can become embedded within the brain and nervous system, creating

persistent neurobiological dysfunctions.⁴⁰ Victims frequently exhibit symptoms consistent with Post-Traumatic Stress Disorder (PTSD), severe depression, anxiety disorders, loss of self-esteem, and overwhelming feelings of guilt and shame.

a. Long-Term Psychological Impact: The Invisible Wounds

Sexual violence leaves profound psychological scars that are often invisible to the naked eye. Research indicates that trauma resulting from sexual violence can become “embedded” within the brain and nervous system, creating persistent neurobiological dysfunctions.⁴¹ Victims frequently exhibit symptoms consistent with Post-Traumatic Stress Disorder (PTSD), severe depression, anxiety disorders, loss of self-esteem, and overwhelming feelings of guilt and shame.⁴² These symptoms not only affect the victim’s mental health but also disrupt their cognitive functioning and ability to perform daily activities.

Delayed reporting significantly exacerbates these conditions.⁴³ Findings from interviews with Constania Huwae, S.H., M.H., Investigator of the Women and Children Protection Unit (*Unit Perlindungan Perempuan dan Anak/Unit PPA*) at the South Sulawesi Regional Police, confirm that although all victims’ experience trauma, the longer the delay in reporting, the longer the rehabilitation process. This statement underscores the direct correlation between reporting delay and the duration of suffering and recovery. During the period of silence, victims often bear the emotional burden alone, without adequate social or psychological support, triggering maladaptive defense mechanisms such as denial, emotional repression, and dissociation.

From a victimological perspective, victims of sexual violence who report late are in an extremely vulnerable position. They must not only confront the trauma of the event itself but also endure social pressure, stigma, and often denial from their immediate environment. When left untreated, such trauma can evolve into Complex Post-Traumatic Stress Disorder (C-PTSD), characterized by severe emotional dysregulation, dysfunctional interpersonal relationships, and a negative self-concept.⁴⁴

⁴⁰ Ruxana Jina, and Leena S. Thomas, “Health Consequences of Sexual Violence against Women,” *Best Practice & Research Clinical Obstetrics & Gynaecology* 27, no. 1 (2013): 19.

⁴¹ Ruxana Jina, and Leena S. Thomas, “Health Consequences of Sexual Violence against Women,” *Best Practice & Research Clinical Obstetrics & Gynaecology* 27, no. 1 (2013): 21.

⁴² Ulayat Wahidin, “Dampak Kekerasan Seksual terhadap Kesehatan Mental Korban: Studi di Bandung,” *Jurnal Psikologi Ulayat* 6, no. 2 (2019): 127.

⁴³ Emily Pica, Chelsea L. Sheahan, and Joanna D. Pozzulo, “The Impact of Delayed Reporting, Assault Type, Victim Gender, and Victim-Defendant Familiarity on Mock-Jurors’ Judgments,” *American Journal of Criminal Justice* 16, no. 2 (2021): 7.

⁴⁴ Byba Melda Suhita, Novita Ratih, and Kurniawan Edi Priyanto, “Psychological Impact on Victims of Sexual Violence: Literature Review,” *STRADA Jurnal Ilmiah Kesehatan* 10, no. 1 (2021): 842.

Empirical data from various regions of Indonesia reveals a consistent pattern. In Aceh, cases of sexual violence in Islamic boarding schools (pesantren) only exposed after years of recurrence show that victims suffered from deep psychological trauma, loss of safety, and intense social pressure that deterred them from reporting. In Makassar, victims who reported late frequently experienced psychological distress severe enough to impair their ability to testify, which in turn complicated police investigations.⁴⁵

b. Impact on Personality Development

Unresolved trauma directly impedes the victim's personality development, particularly when sexual violence occurs during childhood or adolescence. Victims may develop a negative self-image, perceiving themselves as damaged, worthless, and untrustworthy both toward themselves and others.⁴⁶ These feelings can severely hinder the formation of a healthy identity and the ability to build meaningful interpersonal relationships.

Research indicates that child victims of sexual violence often experience disruptions in the development of secure attachment, which forms the foundation for healthy personality growth.⁴⁷ Delayed reporting further aggravates this condition, as victims fail to receive timely psychological intervention during critical stages of their emotional and cognitive development. As a result, they may develop maladaptive relationship patterns, struggle with emotional regulation, and exhibit a tendency toward self-blame.

Empirical data from interviews with Kasmawati, S.Sos., M.H., Head of Subdivision for Research and Administration (*Kasubbagrenim*) at the Directorate of General Criminal Investigation (Dit. Reskrimum) of the South Sulawesi Regional Police, reveal that the most visible short-term impact is school dropout among student victims. This dropout is not only a result of psychological trauma but also of social stigma and pressure within the educational environment. The long-term consequence is an uncertain future, as victims lose educational opportunities and face difficulties in building stable careers and lives.⁴⁸

c. Impact on Social Life: Isolation and Stigma

In the social sphere, the effects of delayed reporting are equally

⁴⁵ Anisa Faradilla, Sutiawati Sutiawati, and Andika Prawira Buana, "Penegakan Hukum Terhadap Tindak Pidana Pelecehan Seksual di Kota Makassar," *Jurnal Dialogica* 1, no. 1 (2025): 57.

⁴⁶ Dadang. Hartanto, "Stigma dan Dukungan Sosial bagi Korban Kekerasan Seksual," *Jurnal Ilmu Sosial dan Humaniora* 11, no. 1 (2020): 89.

⁴⁷ John N. Briere dan Diana M. Elliott, "Immediate and Long-Term Impacts of Child Sexual Abuse," *The Future of Children* 4, no. 2 (1994): 58.

⁴⁸ B. M. Suhita, N. Ratih, dan K. E. Priyanto, "Psychological Impact on Victims of Sexual Violence: Literature Review," *STRADA Jurnal Ilmiah Kesehatan* 10, no. 1 (2021): 841.

devastating. Victims often withdraw from their social environment, struggle to build and maintain interpersonal relationships, and face paralyzing stigma from society. The widespread phenomenon of victim blaming in Indonesian communities leads victims to internalize guilt, believing that they themselves are responsible for what happened rather than the perpetrator.⁴⁹

In South Sulawesi, this situation is further aggravated by a distinct cultural factor the concept of *Siri'* (a sense of shame and family honor). As explained by a source from the South Sulawesi Regional Police (Polda Sulsel), *Siri'* acts as a fundamental barrier preventing victims and their families from reporting cases due to fear of disgrace. Within *Siri'*-based culture, family honor is often regarded as more important than individual justice, resulting in many cases being "resolved" through family arrangements such as marrying the victim to the perpetrator a practice that perpetuates the victim's suffering while absolving the offender of legal accountability.

"Communities in South Sulawesi still hold tightly to fundamental concepts such as Siri', which becomes a barrier to reporting. There are even cases resolved within families, for example, by marrying the victim to the perpetrator." Constania Huwae, Investigator, Women and Children Protection Unit (Unit Perlindungan Perempuan dan Anak/Unit PPA), South Sulawesi Regional Police

Such marriage settlements not only violate the victim's right to justice but also place them in greater danger, forcing them to live with the perpetrator and continually relive their trauma.⁵⁰ This practice sustains a culture of impunity, where offenders escape proportionate punishment and are free to reoffend.

Social stigma faced by victims also extends to social punishment from their communities and even their own families.⁵¹ Victims are often regarded as bringing shame to the family and may be ostracized or treated differently. This leads to severe social isolation, in which victims lose the very support systems essential for their recovery. This condition reflects a broader pattern of victim blaming, in which social responses tend to place responsibility on victims rather than perpetrators, thereby reinforcing stigma and social exclusion.⁵²

⁴⁹ Anisa Faradilla, Sutiawati Sutiawati, and Andika Prawira Buana, "Penegakan Hukum Terhadap Tindak Pidana Pelecehan Seksual di Kota Makassar," *Jurnal Dialogica* 1, no. 1 (2025): 58.

⁵⁰ A. T. Kurniawan, "Persepsi Masyarakat terhadap Kekerasan Seksual dan Implikasinya pada Kebijakan Publik," *Jurnal Kebijakan dan Administrasi Publik* 24, no. 1 (2020): 25.

⁵¹ A. W. Tama, "Analisis Hukum terhadap Penetapan Kasus Pelecehan Seksual di Bekasi Menurut Kitab Undang-Undang Hukum Pidana," *Referendum: Jurnal Hukum Perdata dan Pidana* 1, no. 4 (2024): 231.

⁵² Hartanto Dadang, "Stigma dan Dukungan Sosial bagi Korban Kekerasan Seksual," *Jurnal Ilmu Sosial dan Humaniora* 11, no. 1 (2020): 89.

d. Comparative Table: Immediate vs. Delayed Reporting Impacts

To provide a clearer overview of the differences in consequences between immediate reporting and delayed reporting of sexual violence, the following table presents a comparison across several key dimensions:

Table 1. Immediate vs. Delayed Reporting Impacts

Aspect	Immediate Reporting	Delayed Reporting
Psychological Impact	Trauma can be promptly addressed through appropriate psychological interventions. The risk of developing Post-Traumatic Stress Disorder (PTSD) is lower, as victims receive early emotional and psychosocial support.	Prolonged trauma without timely intervention significantly increases the risk of PTSD, major depressive disorder, and chronic anxiety. The rehabilitation process becomes longer and more complex due to the accumulation and internalization of unprocessed trauma.
Personality Development	Early intervention helps victims rebuild self-esteem and trust in themselves and others. The development of personal identity remains relatively stable and less disrupted.	Severe disturbances occur in identity formation, accompanied by low self-esteem, emotional dysregulation, and the development of unhealthy relationship patterns.
Social Life	Social support from family and institutions helps victims remain connected to their environment. Stigma can be minimized through education and awareness programs.	Victims experience severe social isolation, crippling stigma, and difficulties in building interpersonal relationships, often accompanied by social punishment or exclusion from their communities.
Legal Process	Physical evidence such as medical examinations (<i>visum et repertum</i>), sperm traces, clothing, and crime scene (<i>Tempat Kejadian Perkara/TKP</i>) documentation is still available. The investigation process becomes faster and more effective, with a significantly higher likelihood of successful prosecution.	Most physical evidence has been lost or degraded over time, making proof extremely difficult. The investigation relies heavily on alternative forms of evidence, such as psychological or psychiatric assessments. Many cases are terminated (SP3) due to insufficient evidence.
Recovery and Rehabilitation	The recovery process is faster due to early intervention. Victims gain timely access to rehabilitation services and restitution mechanisms, enabling psychological stabilization and social reintegration.	The recovery process becomes long and complex, as victims may have developed maladaptive defense mechanisms that are difficult to reverse. Emotional recovery requires sustained therapeutic intervention and institutional support.
Victim's Future	Victims have better opportunities to continue their education and pursue a stable career. With adequate institutional and social	There is a high risk of school dropout and an uncertain future, with significant difficulties in establishing a career and building

support, they are more likely to rebuild their lives and achieve long-term stability.

a stable life. The long-term effects of trauma and stigma often limit victims' social and economic reintegration.

2. Forms and Effectiveness of Legal Efforts in Enhancing Public Awareness and Participation Concerning Unreported Sexual Crimes

Legal efforts to address the phenomenon of unreported sexual crimes in Indonesia have undergone a significant transformation, particularly following the enactment of Law Number 12 of 2022 on Sexual Violence Law (UU TPKS). Criminal law policy plays a decisive role in determining whether legal norms are capable of encouraging victims to report sexual crimes.⁵³ However, the effectiveness of this new legal framework in encouraging timely reporting and overcoming existing societal barriers remains subject to further examination and analysis. This section analyzes the various forms of legal measures that have been implemented, evaluates their effectiveness based on empirical data from the field, and identifies the key challenges and opportunities for future improvement.

a. Legal Transformation: From the Indonesian Criminal Code (KUHP) to the Law on Sexual Violence Law (UU TPKS)

Prior to the enactment of the Law Number 12 of 2022 on Sexual Violence Law (UU TPKS), the regulation of sexual violence in Indonesia was fragmented across various legal instruments, with the Indonesian Criminal Code (KUHP) serving as the main reference. However, the KUHP contained several significant limitations its definition of sexual violence was narrow, focusing primarily on rape and indecent acts, while excluding numerous forms of non-physical sexual violence.⁵⁴ Furthermore, the KUHP failed to provide adequate protection for victims, particularly in addressing the complex nature of sexual crimes and their long-term impacts. It also did not stipulate any specific reporting time frame, which often created obstacles for victims who required time to process their trauma before being able to file a report.

The Law on Sexual Violence Law (UU TPKS) emerged as a direct response to the aforementioned limitations and represents a historical milestone in the protection of sexual violence victims in Indonesia. National legal scholarship views the UU TPKS as a progressive reform that strengthens

⁵³ T. Prasetyo, "Kebijakan Hukum Pidana dalam Penanggulangan Kejahatan Seksual," *Jurnal Yudisial* 13, no. 2 (2020): 159.

⁵⁴ A. W. Tama, "Analisis Hukum terhadap Penetapan Kasus Pelecehan Seksual di Bekasi Menurut Kitab Undang-Undang Hukum Pidana," *Referendum: Jurnal Hukum Perdata dan Pidana* 1, no. 4 (2024): 229.

victim-centered justice within Indonesia's criminal law framework.⁵⁵ This law not only broadens the legal definition of sexual crimes but also introduces mechanisms for protection and recovery that are more aligned with a restorative justice approach. Several key innovations introduced by the UU TPKS include:

1. **Expanded Definition of Sexual Violence:** The UU TPKS recognizes nine distinct forms of sexual violence previously absent from the Indonesian Criminal Code, including non-physical sexual harassment, technology-facilitated sexual violence, forced contraception, forced marriage, forced prostitution, sexual slavery, and sexual torture.
2. **Recognition of Alternative Evidence:** The law explicitly acknowledges psychological examination results as valid legal evidence a crucial advancement for delayed-reporting cases where physical evidence is often no longer available.⁵⁶
3. **Differentiated Reporting Time Frames:** The UU TPKS establishes different reporting limits based on the victim's age: six months for adult victims (as a complaint-based offense) and no time limitation for child victims. This provision demonstrates a clear legal commitment to protecting vulnerable groups.
4. **Victims' Rights:** The UU TPKS explicitly guarantees victims' rights to treatment, protection, and recovery, including the right to be accompanied by legal counsel and/or victim advocates at every stage of the investigation and prosecution process.
5. **Restorative Justice Approach:** The law introduces a victim-centered restorative framework, emphasizing healing and recovery rather than solely focusing on punishment of the perpetrator.⁵⁷

To provide a clearer understanding of this legal transformation, the following is a comparative explanation between the Indonesian Criminal Code (KUHP) and the Law on Sexual Violence Law (UU TPKS):

Table 2. Comparative the Indonesian Criminal Code and the Law on Sexual Violence Law

⁵⁵ Fitha Ayun Lutvia Nitha, Ali Masyhar, Achmad Cholidin, M. Ridho Ilahi, and Amalina Zukhrufatul Bahriyah, "Optimalisasi Implementasi UU TPKS: Tantangan dan Solusi dalam Upaya Penghapusan Kekerasan Seksual di Indonesia," *Masalah-Masalah Hukum* 53, no. 1 (2024): 46.

⁵⁶ Muhammad Iqbal, Anis En Nabillah, Radhali Radhali, and T. M. Rafsanjani, "Penerapan Ilmu Forensik dalam Pembuktian Tindak Pidana Kasus Kekerasan Seksual," *Jurnal Hukum dan Kemasyarakatan* 7, no. 1 (2025): 79.

⁵⁷ Fitha Ayun Lutvia Nitha, Ali Masyhar, Achmad Cholidin, M. Ridho Ilahi, and Amalina Zukhrufatul Bahriyah, "Optimalisasi Implementasi UU TPKS: Tantangan dan Solusi dalam Upaya Penghapusan Kekerasan Seksual di Indonesia," *Masalah-Masalah Hukum* 53, no. 1 (2024): 48.

Aspect	Indonesian Criminal Code (KUHP)	Law on Sexual Violence Law (UU TPKS)
Definition of Sexual Violence	The definition of sexual violence is limited to rape (Article 285) and indecent acts (Articles 289–296), without encompassing non-physical forms of sexual violence.	Regulates nine distinct forms of sexual violence, including sexual harassment, technology-facilitated sexual violence, forced contraception, forced marriage, and others.
Evidence	Only recognizes conventional forms of evidence, such as medical reports (visum et repertum), witness testimonies, and physical evidence.	Acknowledges alternative forms of evidence, including psychological examination results, which are particularly relevant in delayed-reporting cases where physical evidence is no longer available.
Reporting Time Frame	Does not specifically regulate the time limit for reporting and generally follows the provisions of complaint-based offenses (six months).	Establishes a differentiated reporting system: six months for adult victims and no time limitation for child victims.
Victims' Rights	Does not explicitly regulate the rights of victims, who are generally regarded merely as witnesses in the legal process.	Clearly stipulates victims' rights, including the right to treatment, protection, recovery, and legal or psychological assistance throughout every stage of the legal proceedings.
Approach	Focuses primarily on punishing the perpetrator through a retributive approach.	Introduces a restorative approach, emphasizing the recovery and well-being of the victim rather than solely on retribution.
Identity Protection	Does not contain any specific provisions regarding the protection of victims' or witnesses' identities.	Guarantees strict protection of the identity of both victims and witnesses, ensuring confidentiality throughout the entire legal process.

The comparative analysis above demonstrates that the UU TPKS constitutes a significant advancement in the legal framework for protecting victims of sexual violence in Indonesia. However, the critical question remains: to what extent is this law effective in encouraging reporting and addressing the barriers that persist within society?

b. Effectiveness of Law Enforcement in Practice: Empirical Data

Although the UU TPKS has established a more progressive legal framework, its implementation in practice continues to face numerous challenges. Empirical data from various regions in Indonesia indicate that the effectiveness of law enforcement in handling late-reported sexual violence cases remains far from optimal.

Data from the Makassar City Police (Polrestabes Makassar) for the period January–August 2024 present an alarming situation. Out of 46 reported

cases of sexual harassment,⁵⁸ only 27 cases (58.7%) proceeded to the investigation stage, three cases (6.5%) reached the prosecution (inquiry) stage, and only one case (2.2%) had its case file declared complete (P21). Meanwhile, 15 cases (32.6%) were terminated (SP3), predominantly due to insufficient evidence resulting from delayed reporting. These figures demonstrate that the success rate of law enforcement in sexual violence cases remains extremely low, with evidentiary constraints continuing to undermine the pursuit of justice. Empirical findings from regional law enforcement practices reveal persistent institutional limitations that reduce prosecution success rates in sexual violence cases.⁵⁹

A similar concern is reflected in data from Bekasi, where a total of 266 reports of sexual violence were recorded in 2022, with women and children constituting the majority of victims.⁶⁰ However, information regarding prosecution outcomes and case completion rates is not publicly accessible, indicating limited transparency within the criminal justice system in handling sexual violence cases.

In Aceh, sexual violence cases occurring in Islamic boarding schools (pesantren), which only surfaced after repeated incidents over extended periods, reveal severe psychological trauma among victims, including loss of safety and strong social pressure that discouraged reporting. Although Aceh has special regional regulations (Qanun), notably Qanun Aceh Number 6 of 2014 on Jinayat Law and Qanun Aceh Number 9 of 2019 on the Implementation of Handling Violence Against Women and Children, their implementation still encounters obstacles, particularly concerning public awareness and victims' access to protection services.⁶¹

The most striking data emerge from the South Sulawesi Regional Police (Polda Sulsel), which indicate that 99% of sexual violence cases are reported late.[48] This figure highlights the widespread nature of delayed reporting in the region, largely influenced by the cultural value of *Siri'*, which emphasizes shame and family honor. Despite the enactment of the UU TPKS, law enforcement efforts in South Sulawesi continue to face substantial cultural barriers that hinder victims from accessing formal legal mechanisms.

⁵⁸ Anisa Faradilla, Sutiawati Sutiawati, and Andika Prawira Buana, "Penegakan Hukum Terhadap Tindak Pidana Pelecehan Seksual di Kota Makassar," *Jurnal Dialogica* 1, no. 1 (2025): 55.

⁵⁹ Anisa Faradilla, Sutiawati Sutiawati, and Andika Prawira Buana, "Penegakan Hukum Terhadap Tindak Pidana Pelecehan Seksual di Kota Makassar," *Jurnal Dialogica* 1, no. 1 (2025): 59.

⁶⁰ A. W. Tama, "Analisis Hukum terhadap Penetapan Kasus Pelecehan Seksual di Bekasi Menurut Kitab Undang-Undang Hukum Pidana," *Referendum: Jurnal Hukum Perdata dan Pidana* 1, no. 4 (2024): 242.

⁶¹ Qanun Aceh Nomor 6 Tahun 2014 tentang Hukum Jinayat; Qanun Aceh Nomor 9 Tahun 2019 tentang Penyelenggaraan Penanganan Kekerasan terhadap Perempuan dan Anak.

c. Challenges in the Implementation of the UU TPKS

Based on the analysis of empirical data and interviews with law enforcement officials, several key obstacles have been identified in the implementation of the Law on Sexual Violence Law (UU TPKS):

Based on the analysis of empirical data and interviews with law enforcement officials, several key obstacles have been identified in the implementation of the Law on Sexual Violence (UU TPKS).

One of the primary challenges concerns evidentiary issues arising from delayed reporting. Late reports significantly complicate evidence collection, as physical evidence such as medical examination results (*visum et repertum*), semen traces, victims' clothing, and the condition of the crime scene (*Tempat Kejadian Perkara/TKP*) are often lost or no longer available.⁶² Although the UU TPKS formally recognizes alternative forms of evidence, including psychological assessments, their practical application continues to face substantial difficulties.⁶³ Not all regions have adequately trained forensic psychologists or psychiatrists capable of conducting assessments that meet judicial evidentiary standards. In addition, skepticism persists among law enforcement officers and judges regarding the validity and reliability of psychological examinations as standalone evidence, particularly when they are not supported by physical or forensic proof.

Beyond evidentiary constraints, sociocultural barriers also play a significant role in hindering the reporting and prosecution of sexual violence cases. In South Sulawesi, the cultural norm of *Siri'*, which emphasizes shame and family honor, often discourages victims and their families from pursuing formal legal processes. Many cases are instead resolved privately within families, sometimes through forced marriages between victims and perpetrators, a practice that perpetuates victims' suffering while allowing offenders to evade legal accountability. Studies on legal culture demonstrate that informal settlements and cultural norms often perpetuate impunity in sexual violence cases.⁶⁴ Moreover, the pervasive phenomenon of victim blaming in Indonesian society further suppresses reporting. Victims are frequently portrayed as responsible for the violence they endured, leading to social stigma and punishment not only from the broader community but, in

⁶² Anisa Faradilla, Sutiawati Sutiawati, and Andika Prawira Buana, "Penegakan Hukum Terhadap Tindak Pidana Pelecehan Seksual di Kota Makassar," *Jurnal Dialogica* 1, no. 1 (2025): 60.

⁶³ Muhammad Iqbal, Anis En Nabillah, Radhali Radhali, and T. M. Rafsanjani, "Penerapan Ilmu Forensik Dalam Pembuktian Tindak Pidana Kasus Kekerasan Seksual," *Jurnal Hukum dan Kemasyarakatan* 7, no. 1 (2025): 78.

⁶⁴ Kurniawan, A. T., "Persepsi Masyarakat terhadap Kekerasan Seksual dan Implikasinya pada Kebijakan Publik," *Jurnal Kebijakan dan Administrasi Publik* 24, no. 1 (2020): 24.

some cases, from their own families. This social pressure results in isolation and deep reluctance to seek justice through formal legal channels.⁶⁵

Another major obstacle lies in the limited resources and institutional capacity required for the effective enforcement of the UU TPKS. Successful implementation of the law depends on the availability of well-trained law enforcement personnel, adequate forensic facilities, and comprehensive victim support systems. However, many regions in Indonesia, particularly remote and rural areas, continue to lack such infrastructure. In addition, limited understanding among law enforcement officers regarding the new provisions and procedures introduced by the UU TPKS contributes to inconsistent enforcement practices. Victim support mechanisms, including shelters, counseling services, and rehabilitation programs, remain severely underdeveloped, especially in areas with restricted access. This structural deficiency undermines the law's objective of providing holistic protection and recovery for survivors of sexual violence.⁶⁶

d. Proactive Efforts to Encourage Reporting

Despite the numerous challenges faced in handling sexual violence cases, various proactive initiatives have been undertaken by law enforcement agencies and related institutions to encourage victims to report incidents and to raise public awareness regarding sexual violence.

In South Sulawesi, the Regional Police (Polda Sulsel) have implemented the "Raise and Speak" program, which aims to educate the public by emphasizing that reporting sexual violence does not constitute a violation of *Siri*—a cultural value associated with family honor but rather serves as a preventive measure to protect potential future victims. This program seeks to shift societal perceptions by reframing reporting as an act that preserves dignity through the prevention of further harm. According to interview respondents, this initiative has produced positive outcomes, as reflected in an increase in reported cases in 2025 compared to the previous year, indicating growing public recognition of sexual violence as a criminal offense rather than a private matter.⁶⁷

⁶⁵ Anindita Putri, Dinda Arini Persodo, Shafa Anjani Heri Nordi, Keysa Farhah, Widya Ayu Kemalasari, Jonathan Rahardian Susiloputra, Nadia Fadila Salma Setiadi, "Tinjauan Viktimologi terhadap Korban Kekerasan Seksual yang Rentan Hak dan Perlindungan Hukumnya," *Depositi Widyakarya* 3, no. 2 (2025): 200.

⁶⁶ Tengku Nurhayati, "Model Pemulihan bagi Korban Kekerasan Seksual: Studi Kasus di Jawa Barat," *Jurnal Pengabdian kepada Masyarakat* 27, no. 3 (2021): 542.

⁶⁷ Fitha Ayun Lutvia Nitha, Ali Masyhar, Achmad Cholidin, M. Ridho Ilahi, and Amalina Zukhrufatul Bahriyah, "Optimalisasi Implementasi UU TPKS: Tantangan dan Solusi dalam Upaya Penghapusan Kekerasan Seksual di Indonesia," *Masalah-Masalah Hukum* 53, no. 1 (2024): 49.

Law enforcement efforts are also supported through institutional synergy and multi-stakeholder collaboration. National research highlights that multi-agency collaboration and public legal education are essential to improving reporting rates and victim trust in the justice system.⁶⁸ The police coordinate with institutions such as the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA), the Department of Social Affairs, and non-governmental organizations, including the Indonesian Women's Association for Justice (LBH APIK/*Lembaga Bantuan Hukum Asosiasi Perempuan Indonesia untuk Keadilan*), to provide assistance, counseling, and rehabilitation services for victims.⁶⁹ This collaboration is essential, as addressing sexual violence extends beyond law enforcement functions and requires coordinated inter-agency action. While the police focus on investigation and prosecution, victim recovery and rehabilitation are handled by institutions with specialized facilities and resources. Partnerships with NGOs such as LBH APIK are particularly important because many victims feel more secure seeking initial assistance from NGOs before formally reporting cases to the police. NGOs also contribute significantly to policy advocacy and public education concerning victims' rights and the importance of reporting.⁷⁰ NGOs also play a vital role in policy advocacy and public education about victims' rights and the importance of reporting.

To improve access to reporting mechanisms, a multiple-entry-point system has been developed. Victims are now able to report incidents not only at police stations but also through hospitals, UPTD PPA offices, and NGOs specializing in women's and children's issues. Medical professionals in hospitals have received integrated training on handling cases of violence against women and children, enabling them to conduct medical examinations (*visum et repertum*) and coordinate effectively with law enforcement agencies or NGOs.⁷¹ This approach is particularly important in addressing psychological barriers, such as fear and shame, which often prevent victims from directly approaching the police.

In addition, public education and awareness campaigns have been widely implemented to increase public understanding of sexual violence,

⁶⁸ Tengku Nurhayati, "Model Pemulihan bagi Korban Kekerasan Seksual...", *Jurnal Pengabdian kepada Masyarakat* 27, no. 3 (2021): 4545.

⁶⁹ Tengku Nurhayati, "Model Pemulihan bagi Korban Kekerasan Seksual: Studi Kasus di Jawa Barat," *Jurnal Pengabdian kepada Masyarakat* 27, no. 3 (2021): 545.

⁷⁰ Fitha Ayun Lutvia Nitha, Ali Masyhar, Achmad Cholidin, M. Ridho Ilahi, and Amalina Zukhrufatul Bahriyah, "Optimalisasi Implementasi UU TPKS: Tantangan dan Solusi dalam Upaya Penghapusan Kekerasan Seksual di Indonesia," *Masalah-Masalah Hukum* 53, no. 1 (2024): 50.

⁷¹ Muhammad Iqbal, Anis En Nabillah, Radhali Radhali, and T. M. Rafsanjani, "Penerapan Ilmu Forensik Dalam Pembuktian Tindak Pidana Kasus Kekerasan Seksual," *Jurnal Hukum dan Kemasyarakatan* 7, no. 1 (2025): 78.

victims' rights, and the importance of reporting.⁷² These campaigns utilize various media platforms, including social media, television, radio, and community outreach programs, to reshape societal attitudes, reduce stigma, and promote a culture of accountability and openness.

Finally, efforts to strengthen the implementation of the UU TPKS have been supported through training and capacity-building programs for law enforcement officials, including police officers, prosecutors, and judges. These programs aim to enhance understanding of the new legal provisions under the UU TPKS, improve trauma-sensitive interview techniques, strengthen the use of alternative forms of evidence such as psychological evaluations, and promote the application of restorative justice approaches in handling sexual violence cases.

e. Evaluation of the Effectiveness of the UU TPKS

Based on the analysis of empirical data and the initiatives implemented, it can be concluded that the Law on Sexual Violence (UU TPKS) constitutes a significant advancement in strengthening the legal protection of victims of sexual violence in Indonesia. The law introduces a more progressive and holistic framework compared to the Indonesian Criminal Code (KUHP) by broadening the definition of sexual violence, recognizing alternative forms of evidence, and regulating victims' rights in a clearer and more systematic manner. This victim-centered approach reflects an important shift in legal policy, as it emphasizes not only the punishment of perpetrators but also the recovery, protection, and empowerment of victims. Moreover, the absence of a statute of limitations for child victims represents a critical improvement, acknowledging that many survivors are only able to disclose their experiences years after the incident, once they have achieved sufficient emotional stability and awareness of their trauma.

Despite these normative strengths, the practical implementation of the UU TPKS continues to face considerable challenges. Although the law formally recognizes alternative forms of evidence, such as psychological assessments, significant evidentiary obstacles persist in practice. These include the limited availability of trained forensic psychologists and ongoing skepticism among law enforcement officers and judges regarding the admissibility and reliability of psychological findings when they are not supported by physical evidence. Beyond evidentiary constraints, sociocultural barriers remain deeply entrenched. Cultural norms such as *Siri'* in South Sulawesi, combined with the widespread phenomenon of victim blaming, often discourage reporting by prioritizing family honor over legal accountability. As a result, cases are

⁷² A. T. Kurniawan, "Persepsi Masyarakat terhadap Kekerasan Seksual dan Implikasinya pada Kebijakan Publik," *Jurnal Kebijakan dan Administrasi Publik* 24, no. 1 (2020): 29.

frequently resolved informally, perpetuating impunity and undermining victims' access to justice. In addition, the effective enforcement of the UU TPKS requires substantial institutional capacity, including adequately trained law enforcement personnel, sufficient forensic infrastructure, and comprehensive victim support services. However, many regions, particularly outside major urban centers, continue to lack these essential resources. These structural limitations are reflected in low prosecution success rates, as empirical data from Makassar indicate that only 2.2% of sexual violence cases proceed to prosecution, while 32.6% are terminated (SP3) due to insufficient evidence, highlighting serious constraints in the system's ability to deliver justice. Strengthening a victim-centered justice framework is therefore essential to ensure effective enforcement of the UU TPKS.⁷³

At the same time, the implementation of the UU TPKS presents important opportunities for improvement. Strengthening public education programs is essential to increasing reporting rates and improving the handling of sexual violence cases. Initiatives such as the "Raise and Speak" program in South Sulawesi have demonstrated encouraging results and could be expanded at the national level, with necessary adaptations to local cultural contexts. Furthermore, institutional synergy should be reinforced through closer collaboration among law enforcement agencies, UPTD PPA, Social Affairs Departments, and non-governmental organizations to establish an integrated service network that supports victims from the reporting stage through rehabilitation. Investment in forensic infrastructure, particularly in the training of forensic psychologists, is also crucial to enhancing evidentiary reliability and improving case processing, especially in cases involving delayed reporting. In the long term, a broader cultural transformation is required to dismantle societal attitudes that perpetuate stigma and impunity. This includes integrating gender-sensitive education, promoting community-based advocacy, and involving religious and cultural leaders in reshaping narratives surrounding honor, shame, and justice.

D. Conclusion

Unreported or delayed-reporting sexual violence leaves profound psychological, social, and developmental scars on victims. In South Sulawesi, where 99% of victims report late, survivors often endure prolonged trauma, PTSD, depression, anxiety, and severe social isolation. The cultural pressure of *Siri'* intensifies their silence, frequently resulting in harmful informal settlements such as forced marriages that further victimize survivors. For children and adolescents, the consequences are even more damaging,

⁷³ Haris Nugroho, "Victim-Centered Justice dalam Penanganan Kekerasan Seksual," *Jurnal Hukum dan Peradilan* 10, no. 2 (2021): 219.

disrupting emotional development, education, and long-term life stability. These unreported cases highlight not only legal shortcomings but also Indonesia's broader systemic gaps in protection, empathy, and social support.

The Sexual Violence Law (*UU TPKS*) marks major progress by expanding legal definitions, recognizing alternative evidence, and reinforcing victim rights. Yet its effectiveness remains constrained by evidentiary challenges, cultural barriers, and institutional limitations. Low prosecution rates such as the 2.2% P21 rate in Makassar demonstrate the continued difficulty of proving cases reported long after the incident. Although psychological and testimonial evidence are legally recognized, limited forensic capacity and judicial hesitance hinder their practical use.

Despite these obstacles, several initiatives show promising impact. Programs like "Raise and Speak," multi-agency cooperation among police, UPTD PPA, social institutions, and NGOs, and the adoption of multi-entry reporting mechanisms have begun to shift public attitudes and improve access to justice. Ongoing public education and law-enforcement training further strengthen victim-centered responses. Overall, the UU TPKS provides a strong legal foundation, but meaningful change requires sustained cultural transformation, expanded institutional capacity, and integrated victim support systems. Only through these combined efforts can Indonesia ensure that survivors are not silenced, evidence is not lost, and justice is not delayed.

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