

Legal Protection for Disabled Victims of Crime of Indecent Acts Based on Justice (Study at the Cilacap City Police Resort)

Vishnu Vidyantara

Faculty of Law, Universitas Islam Sultan Agung, Semarang, Indonesia, E-mail:
vishnuvidyantara.std@unissula.ac.id

Abstract. *The Indonesian National Police play an important role in providing legal protection for persons with disabilities who become victims of criminal offenses through fair, non-discriminatory, and disability-friendly services during the investigation process. However, the handling of such cases faces complex challenges due to the victims' limitations, thereby requiring special approaches to ensure the fulfillment of victims' rights and the realization of justice that respects human dignity. This study aims to identify and analyze the forms of legal protection provided to persons with disabilities as victims of sexual abuse crimes at the Cilacap City Resort Police, the existing weaknesses, and the future legal protection measures for persons with disabilities as victims of sexual abuse crimes. This research employed a sociological juridical approach with a descriptive-analytical research specification. The data used consists of primary and secondary data. Data collection methods included field studies and library research. The data were analyzed using qualitative analysis. Based on the research findings, it can be concluded that legal protection for persons with disabilities who are victims of sexual abuse crimes at the Cilacap City Resort Police has generally been implemented in accordance with legal provisions through non-discriminatory treatment, psychological and social assistance, provision of information regarding victims' rights, and the availability of safe houses, thus reflecting a more humane and justice-oriented protection system. Nevertheless, several weaknesses remain, including the absence of specific Standard Operating Procedures (SOPs) for handling victims with disabilities, limited understanding among investigators, inadequate facilities and safe houses, interference from perpetrators, and difficulties in the evidentiary process due to the intellectual and psychological limitations of victims. Therefore, future legal protection efforts need to be improved through the formulation of specific SOPs, training for investigators in the Women and Children Protection Unit (PPA), provision of accessible facilities, and the implementation of flexible and humane examination procedures in order to enhance the effectiveness of law enforcement and provide optimal protection for victims with disabilities.*

Keywords: *Crime; Disabilities; Legal; Protection; Victims.*

1. Introduction

Indonesia is a country law, as confirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia.¹ Consequences of the country law is that law is guidelines highest² in state administration to ensure as well as realize justice for all over citizen.³ With Thus, Indonesia guarantees right basic man in field law that is ensure citizens at the same time its position in law and government. ⁴One of them is guarantee right protection to person with disabilities disability.

Guarantee position law and rights basic man for person with disabilities disability arranged in several articles in the 1945 constitution of the republic of indonesia, among other things, in article 28d paragraph (1) states that " everyone has the right on recognition, guarantee, protection, and certainty just law as well as the same treatment in front law." in addition, it is also regulated in article 28h paragraph (2) of the 1945 constitution of the republic of indonesia which states that "everyone gets convenience and treatment special for get equal opportunities and benefits to achieve equality and justice." rights the is as written in article 28i paragraph (1), namely right for life, rights for no tortured, rights independence mind and heart conscience, rights religion, rights for no enslaved, rights for recognized as personal in front of law and rights For No sued on base applicable law receding.

Guarantee protection right basic man to sufferer disability more carry on arranged in Article 5 paragraph (2) of the Law Number 8 of 2016 concerning Person with disabilities Disability that states that besides get right as arranged in Article 5 paragraph (1), women with disability, entitled on right addition that is right on health reproduction, rights accept or reject use tool contraception, rights get protection more from treatment discrimination layered, and rights For get protection more from action violence, including violence and exploitation sexual.⁵

Provision This show existence state recognition of vulnerabilities experienced by people with disabilities disability, so that required different treatments to achieve substantive justice. Protection special This become very important, especially when person with disabilities disability is at in position as a victim of crime

¹ Edward Cevy Listiyanto and Arpangi, Implementation Effectiveness Of Police Role In Eradication Of Online Gaming Crime In Digital Era, *Law Development Journal*, Volume 3 Issue 2, June 2021, p. 362

² Jimly Asshiddiqie, 2010, *The Indonesian Constitution and Constitutionalism*, Sinar Grafika, Jakarta, p. 60

³ M. Muslih, The Indonesian Legal State in the Perspective of Gustav Radbruch's Legal Theory (Three Basic Legal Values), *Legality*, June 2013 Edition Volume IV Number 1, p. 132.

⁴ Anton Rudiyanto, Function of Fingerprints in Murder Crime Perpetrators (Case Study at Tegal Police), *Khaira Ummah Law Journal*, Volume 12 Number 4 December 2017, p.928.

⁵ Hukumonline Team, Understanding the 22 Rights of Persons with Disabilities in the Law, <https://www.hukumonline.com>, accessed April 2, 2026.

criminal, including action criminal molestation.

Women with disabilities disability is vulnerable groups face violence sexual (molestation). One of them the reason is that Woman stigmatization they as people who are weak and also not empowered. The perpetrator violence sexual also claims Woman with disability No brave telling you or report it to others. ⁶In addition, people with disabilities also experience limitation ability think make part person with disabilities disability No understand true - false so prone to become a victim because limitations communication.⁷

Action criminal molestation in Constitution Number 1 of 2023 concerning the Criminal Code (National Criminal Code) is categorized as as offense normal Because related with right the body and dignity of the victim, is regulated in Article 414 which states as following:

(1) Everyone who does actions obscene towards other people who are different or the same type gender:

- a. in front of general, punished with criminal maximum imprisonment of 1 year and 6 months or criminal the biggest fine category III, namely IDR 50 million;
- b. in a way force with violence or threat violence, criminal with criminal maximum imprisonment of 9 years; or
- c. published as cargo pornography, punishable by law with criminal maximum prison sentence of 9 years.

(2) Everyone with violence or threat violence forcing others to do actions obscene to himself, was convicted with criminal maximum prison sentence of 9 years.

Apart from the National Criminal Code, the act criminal molestation is also regulated in Article 6 of the Law Number 12 of 2022 concerning Action Criminal Violence Sexual which states that convicted Because abuse sexual physique:

- a. Everyone who does actions sexual in a way physical target to body, desire sexual, and/ or reproductive organs with Meaning demeaning dignity and honor somebody based on sexuality and/ or his immorality including in provision other more serious crimes heavy with criminal imprisonment for a maximum of 4 (four) years and/ or criminal a maximum fine of Rp. 50,000,000.00 (fifty million rupiah) million rupiah).
- b. Every person who does actions sexual in a way physique yarrg intended to body,

⁶Adinda Febriani Suroiyah Nur, Annisa Nur Aulia Ihsanti, Sexual Violence Against Women with Disabilities and the Need for Psychosocial Support in the Family, *Jurnal Media Akademik (JMA)*, Vol.3, No.6 June 2025, p. 4

⁷APKH Admin, Sexual Violence Against Persons with Disabilities Remains High, Collaboration is Key to Handling, <https://pkh.upi.edu>, accessed April 2, 2026.

desire sexual, and/ or reproductive organs with Meaning put someone below his power in a way oppose law, both within both inside and outside marriage with criminal imprisonment for a maximum of 12 (twelve) years and / or criminal a maximum fine of IDR 300,000,000.00 (three hundred million rupiah).

c. Everyone who abuses position, authority, trust, or the resulting influence from deception trick or connection condition or utilise vulnerability, inequality or dependence someone, forcing or with misdirection move the person for door let done intercourse or actions obscene with him or with other people, is punished with criminal imprisonment for a maximum of 12 (twelve) years and / or criminal a maximum fine of IDR 300,000,000.00 (three hundred million rupiah).

Based on provisions of Article 15 letter h of the Law Number 12 of 2022 concerning Action Criminal Sexual Violence, provisions criminal as intended in Article 6 plus 1/3 (one third), if done to Person with disabilities Disability. Provisions the show existence form protection law of a legal nature affirmative. Policy the reflect state recognition that person with disabilities disability is groups that have level vulnerability more tall to action criminal violence sexual, so that the perpetrator who targeted group This worthy charged more sanctions heavy.

Effectiveness policy the No only depending on legal norms only, but also in its implementation. The apparatus enforcer law, in particular police as the vanguard, must capable identify the victim's status as person with disabilities disability as well as ensure that the handling process case done in a way sensitive and inclusive. Without support said, the weighting criminal potential only becomes rule normative without give impact real for victim protection.

Indonesian National Police own a very important role as the vanguard in give protection to the victim. Police is institutions first to receive report and handle case action criminal, so that own not quite enough answer big in ensure that the legal process walk in a way fair and unfair discriminatory. For people with disabilities disability, role police No only limited to enforcement law, but also includes giving friendly service disabilities, such as provision translator, assistance, and method appropriate examination with condition of the victim.

2. Research Methods

Study This is study empirical or sociological, namely research whose object is about symptoms, events and phenomena that occur in society, institutions or country. Research This based on science law normative (regulations) legislation), but No study about system of norms but rather observe How reactions and interactions that occur when the normative system working inside public.⁸ The approach method used in this research is the statute approach and *the* legal

⁸Mukti Fajar ND and Yulianto Achmad, 2013, *Dualism of Normative and Empirical Legal Research*, Pustaka Pelajar, Yogyakarta, p. 47.

approach. case *approach* legislation done with examine various regulation related legislation with the problem being studied that is related with protection law to person with disabilities disabilities who are victims of crime criminal molestation. Approach case done with review and analyze case molestation to person with disabilities disability during the investigation and protection process the law. Specifications study This is descriptive analytical, namely describe condition object research at the time now, based on the apparent facts or as existence, aim For make description or painting in a way systematic about something phenomena that occur in society.⁹ Descriptive intended For give a clear, detailed and systematic picture, whereas it is said analytical because the data obtained will analyzed For solution to problem in accordance with provision applicable law. Type of data used in study This is primary data and secondary data.

3. Results and Discussion

3.1. Forms of Legal Protection for Person with disabilities Disability as a Victim of Crime Criminal Indecent assault at the Cilacap City Police Station

action criminal molestation is one of the form violence sexual which causes impact serious, good in a way physical, psychological, and social against the victim. victim of the crime criminal molestation often be in a vulnerable and unsafe position own ability for protect himself alone, especially if the victim is person with disabilities disability. condition limitations physical, intellectual and mental conditions of the victim cause they more easy influenced, persuaded, or exploited by the perpetrator for do actions oppose law. therefore that, the state is obliged give protection law in a way maximum through enforcement just law, fulfillment victims' rights, as well as implementation provision regulation legislation that provides protection special for person with disabilities disability as group prone to in action criminal violence sexual.

Protection law to person with disabilities disabilities who are victims of crime criminal is fundamental issues that require attention special in system justice in Indonesia. Persons with disabilities, both those who have limitations physical, mental, and intellectual, often face various obstacle in life everyday. Besides experiencing constraint in a way physical and social, persons with disabilities disabilities are also common face discrimination systemic impacts that result in limited access to various services, including service law.¹⁰

Protection law for victims of crime criminal is mandatory rights guaranteed to all over citizens, including person with disabilities disability. This is is very crucial

⁹M. Djunaidi Ghoni and Fauzan Almansur, 2012, *Qualitative Research Methodology*, ar-Ruzz Media, Yogyakarta, p.25.

¹⁰Vinna Clarissa Huring, Boedi Prasetyo, Legal Protection for Disabled Victims of Sexual Violence: A Study of Decision Number 78/PID.SUS/2024/PN RAH, *Al-Sulthaniyah*, Vol. 14 No. 2 (2025), pp. 787-796

thing, especially for person with disabilities who are victims of violence sexual like molestation. Action criminal molestation with victims of disabilities categorized as crime serious that is not only cause impact significant physical and psychological effects, but also potentially causing prolonged trauma.¹¹

In a way normative, form protection law to person with disabilities who are victims of crime criminal, regulated in a way special in Regulation Government Number 39 of 2020 concerning Appropriate Accommodation for Persons with Disabilities in the Judicial Process.

Based on the provisions of Article 2 of PP Number 39 of 2020 state that in the judicial process, the institution enforcer law must provide proper accommodation. As for the institution enforcer law the is The Indonesian National Police, the Prosecutor's Office, the Supreme Court and its subordinate courts, and the Constitutional Court. in addition other institutions related to the judicial process are also required provide decent accommodation for person with disabilities. With Thus, the Indonesian National Police, which is institution enforcer law first in the judicial process criminal must give decent accommodation for person with disabilities during in the process of investigation and inquiry.

According to Article 5 of PP Number 39 of 2020, adequate accommodation consists of on service as well as facilities and infrastructure provided to person with disabilities in every judicial process. The form protection laws and rights for person with disabilities who are victims of crime criminal in the judicial process, as following:¹²

1) Service

Article 6 of PP Number 39 of 2020 stipulates that in fulfillment decent accommodation in the form of service for person with disabilities in every judicial process at least consists of on:

- a. treatment non-discriminatory;
- b. fulfillment of a sense of security and comfort;
- c. effective communication;
- d. fulfillment information related right person with disabilities and the development of the judicial process;

¹¹Pakpahan, ZA (2024). Legal Certainty for the Rights of Persons with Disabilities as Citizens in Obtaining Employment in Indonesia, *Warta Dharmawangsa Scientific Magazine*, Vol. 18 No. 2, April 2024, pp. 379–398.

¹²Donny P. Manullang, Legal Protection for Victims with Disabilities, <https://www.hukumonline.com>, accessed May 20, 2026.

- e. provision facility long-distance audio-visual communication Far;
- f. provision standard inspection person with disabilities disabilities and standards giving service law; and
- g. provision companion disability and/ or translator

In addition, to fulfilling the sense of security and comfort, persons with disabilities disabilities who are victims and experience trauma, can request For No met with perpetrator during the judicial process (Article 8 of PP Number 39 of 2020). Article 10 of PP Number 39 of 2020 states that Investigator must convey right person with disabilities disability to the parties related in the judicial process. Furthermore, victims with disabilities people with disabilities also have the right For get information development of the judicial process from investigators and prosecutors general, which can delivered to family and/ or companion disability.

Article 12 of PP Number 39 of 2020 determines that institution enforcer law (Polri) creates and develops standard inspection person with disabilities disability in accordance with its authority includes qualification investigators, facilities building buildings, facilities services and procedures inspection.

During the trial process, the victim disability entitled forget:

- a. Help law in the judicial process, things This as arranged in Article 13 paragraph (2) of PP Number 39 of 2020 which states that besides create and develop standard giving service law, advocate must give help law to person with disabilities disability in the judicial process in accordance with provision regulation legislation.
- b. Companion disabilities, translators, and/ or other related officers. This as arranged in Article 15 paragraph (1) of PP Number 39 of 2020 which states that in carry out adequate accommodation, institutions enforcer law provide companion disabilities, translators, and or other related officers.

Companion disability fulfil condition as arranged in Article 15 paragraph (3) of PP Number 39 of 2020 as following:

- 1) Understand needs and obstacles person with disabilities accompanied disability
- 2) Facilitating person with disabilities disability for follow the judicial process with Good
- 3) Get agreement from person with disabilities disability or his family
- 4) Own ability socialize and interact in a way Good with person with disabilities accompanied disability.

Based on provisions of Article 16 of PP Number 39 of 2020, investigators ensure person with disabilities disability or his family agree companion disability and/ or

translator provided. Investigator can delay the trial process in matter person with disabilities disability No accompanied by a companion disability and/ or translator.

c. Doctor or power health other about condition health, psychologist or psychiatrist about condition mental health, and/ or worker social about condition psychosocial. This as arranged in Article 15 paragraph (2) which states that besides provide decent accommodation as referred to in paragraph (1), the institution enforcer law provide:

- 1) doctor or power health other about condition health;
- 2) psychologist or psychiatrist about condition mental health; and or
- 3) worker social about condition psychosocial.

2) Facilities and infrastructure

Besides getting service as mentioned above, victims of people with disabilities also have the right For get fulfillment decent accommodation in the form of facilities and infrastructure, which are adapted with condition person with disabilities disability (Article 19 of Government Regulation Number 39 of 2020). According to provisions of Article 20 of PP Number 39 of 2020, facilities and infrastructure given to person with disabilities disabilities who have obstacle:

- a. Vision, at least consists of on computer with application reader screen, easy page read by the disabled disability, documents printed with braille, and/ or audio communication media.
- b. Hearing, at least consists of onboard visual information, communication media using writing and other visual forms, and/ or tool props.
- c. Speech, at least consists of onboard visual information, communication media using writing and other visual forms, and/ or tool props.
- d. Communication, at least consists of onboard visual information, communication media using writing and other visual forms, and/ or tool props.
- e. Mobility, at least consists of on chair wheel, place Sleep wheeled, and/ or tool help other mobility as appropriate with need.
- f. Remembering and concentration, at least consists of above, pictures, mockups, dolls, calendars, and/ or tool other appropriate props with need.
- g. Intellectual, at least consists of on medicines, facilities health, and other facilities as appropriate with need
- h. Behavior and emotions, at least consists of on medicines, facilities health, comfortable and not stuffy room noisy, and/ or other facilities as appropriate with

need.

- i. Look after self alone, at least consists of on medicines, space easy change accessed, and/ or other needs as appropriate with need
- j. Other specified obstacles based on results personal assessment.

In addition to the above mentioned, the institution enforcer the law is also mandatory provide facilities and infrastructure as arranged in Article 21 of PP Number 39 of 2020, namely as following:

- a. Suitable room standard and easy accessible for person with disabilities disability;
- b. Easy means of transportation accessible for person with disabilities disability to place inspection in accordance with his authority; and
- c. Easy facilities accessible in buildings building in accordance with provision regulation legislation.

3.2. Weaknesses of Legal Protection against Person with disabilities Disability As Victims of Crime Criminal Indecent assault at the Cilacap City Police Station

Protection law towards victims of crime criminal person with disabilities disability in in practice Still face various weakness. Weakness the can influence optimization fulfillment victims ' rights in the judicial process criminal. Weakness protection law to person with disabilities disability as a victim of an act criminal molestation at the police station Cilacap is as following: ¹³

- 1) is no specific SOP yet handling of victims of disabilities disability

Regulation Government Number 39 of 2020 is base law important in protection person with disabilities disability in the judicial process. In practice regulation the Still own weaknesses, namely Still nature general and normative. PP Number 39 of 2020 more Lots arrange principles decent accommodation, but Not yet arrange in a way details mechanism technical handling of victims of disabilities, especially disability intellectual and mental, in every stage of the judicial process criminal. As a result, implementation in the field often depends on the understanding and abilities of each officer enforcer law.

Weakness other is Not yet optimally arrangement about facilities and infrastructure accessible. PP Number 39 of 2020 is indeed obligatory existence decent accommodation, but Not yet give standard detailed technical details regarding facility special that must be available at the police station. Therefore Still Lots institutions enforcer laws that have not been own room inspection friendly

¹³Interview results with First Inspector Esa Hendra Himawan, as Head of the PPA & PPO Unit of the Cilacap Police, May 2, 2026

disability, tools help communication, translator, and facility supporters for victims of disabilities intellectual and sensory.

At the Police Station Cilacap I haven't even done it myself yet There is Standard Operational Procedures (SOP) which are special arrange handling of victims of disabilities in the judicial process criminal. Condition This causing the victim handling process to be incomplete uniform and not yet in accordance with need special person with disabilities disability.

No specific SOP disability result in apparatus enforcer law, especially investigators, often use procedure inspection generally applied against non- disabled victims. Victims with disabilities disabilities, in particular disability intellectual and mental have limitations in understand question, remembering events, convey information, as well as face pressure psychological during examination. If inspection done without approach special, then potential victim statement No dug in a way maximum and even can causing re- traumatization.

2) Limited understanding apparatus investigator about disability

Investigator Police Station Cilacap tend experience obstacle if face to face with person with disabilities disabilities who experience violence sexual. This due to apparatus investigator often not enough understand characteristics special from person with disabilities disabilities handled. Investigators not enough understand method best for interact with victims who have disabilities, especially in matter delivery information in a way clear and understanding to expression emotional victim. In addition, investigators also face difficulty in interpret information given by the victim.

Lack of understanding and knowledge investigator in communicate with victims of disabilities disability is one of the weakness in protection law towards victims of crime criminal. In practice, investigators often face constraint when face to face with victims who have limitations intellectual. Not all investigator own ability communication special or training about approach to person with disabilities disability, so that the examination process walk not enough effective.

Condition the can causing the victim to experience difficulty in understand question investigator and convey chronology incident in a way clear and coherent. As a result, the information provided by the victim becomes No complete, and potential give rise to misinterpretation, or even considered No consistent. In addition, the use of Language laws that are too formal and lacking approach psychological can also make the victim feel scared, depressed, and reluctant give information in a way open.

Weakness communication This No only impact on the disclosure process matter, but also can hinder fulfillment victims ' rights in get justice. Therefore that, is necessary improvement capacity investigator through training special about

technique communication with person with disabilities disability, approach psychological towards vulnerable victims, as well as use method further examination humanistic and accessible so that the investigation process can walk in a way effective and oriented towards victim protection.

3) Lack of facilities and infrastructure for victims of disabilities disability

Supporting facilities and infrastructure service to person with disabilities disability is part important in realize protection accessible and just law. However thus, at the Police Headquarters Cilacap facility for person with disabilities disability Still classified as limited and not yet fully fulfil need service special for victims of crime criminals, especially victims of violence sexual person with disabilities disability.

Currently, the facilities available at the Women and Children Protection Unit (PPA) of the Police Cilacap covering chair wheels, space wait, place play children and space lactation. The presence of facility the show existence effort for give better service friendly to group vulnerable. However, the facilities the Still Not yet covers need accessibility in a way comprehensive, especially for person with disabilities disability sensory, intellectual, and mental.

In addition, related provision House safe at the police station Cilacap Still less, where moment This only there is 1 house safe cooperation with Social Services. Current conditions This happen is children and adults mixed become one. However for the children usually accompanied by his parents. This is result in protection become not optimal.

Limitations facilities and infrastructure can influence comfort and effectiveness of the victim examination process. For example, not yet availability room inspection friendly special disability, tools help communication, audio visual facilities, lines access special, as well as service translator Language signal can make it difficult for the victim to convey information and understand the legal process being undertaken. In addition, the limitations facilities also have the potential cause obstacle psychological for victims in get a sense of security and comfort during the mentoring process and inspection.

4) Intervention from perpetrator

Intervention from perpetrator action criminal molestation to party the victim's family during the investigation process is one of the weakness in enforcement law and protection towards the victim. Intervention done with objective influence the victim's family so that they do not continue the legal process, revoke report, change description, or relieve accountability perpetrator.

A number of cases handled by the Police Cilacap, party the victim's family becomes not enough cooperative due to when Already During the investigation process, the victim's family was visited by the family perpetrator, perhaps there is intimidation

or already happen agreement peace so that the investigation process A little hampered.

Form frequent interventions happen including, among others, persuasion peace, giving money, pressure psychological, intimidation, demand settlement in a way family, until effort build compassion to perpetrator. In the case of victims with disabilities disability, intervention become more prone to influence the victim's family because family often is at in condition weak psychological, afraid against social stigma, as well as worry to impact prolonged from the legal process towards the victim.

Intervention can impact negative to the investigation process, because the victim's family became doubtful in give support to the victim to continue the legal process. In some cases conditions, the victim's family even can reduce openness information, refuse mentoring, or request case completed in a way non-litigation. As a result, the process of proof action criminal can hampered and potentially reduce protection to victims ' rights.

For victims of disabilities disability, intervention from party the perpetrator can also causing psychological trauma additional. The victim can feel fear, depression, and loss of security, especially if party perpetrator or his family come to environment the victim's house during the investigation process taking place. Therefore that, in a number of case of the victim being placed in a home safe for avoid intimidation and guarding stability psychological state of the victim during the legal process walk.

5) Difficulty in proof

Proof in case molestation to sufferer mental disorders are very complex issues in Indonesian criminal procedure law. Difficulties main lies in how apparatus enforcer law, in particular investigators, obtained victim's testimony that can accepted in a way law and fulfill element truth material. In practice, many victims with disturbance disability intellectual No capable give coherent, logical and consistent information as expected in system proof conventional.¹⁴

Inconsistency the often considered weaken position victim's testimony, even though matter That can caused by conditions psychological that is not stable or limitations cognitive victim due to mental disability. Situation This show existence inequality between formal system expectations justice and conditions factual victims in the field. In addition, from perspective investigation, investigator face dilemma methodological between operate procedure law in a way strict with need

¹⁴Rasyid, MA, Ardiyanto, SY, & Elmayanti, E, Legal Protection Arrangements for Mentally Ill Women Who Are Victims of Criminal Acts Against Morality, *Wahana Pendidikan Scientific Journal*, Vol. 10 No. 20, 2024, 494–506

for protect victim psychology.

In some case, victim with disability intellectual need approach special like mentoring psychologist, psychiatrist, or expert disability moment inspection ongoing. However, the reality on the ground show limitations facilities, manpower expert, and understanding apparatus in apply friendly procedures disability. As a result, the examination process often done without consider condition psychological state of the victim, which ultimately produce information that is not optimal and can lower credibility tool evidence. This is show that system proof criminal Still form - oriented formal and not yet fully accommodate need group prone to.¹⁵

At the Police Station Cilacap, inspection to person with disabilities disability intellectuals who are victims of acts criminal molestation often constrained in get information from the victim. During the examination sometimes the victim does not Can tell in detail the events he experienced in a way coherent and correct, sometimes the victim forgets, so that need explained slowly as well as need help from the closest person (who the victim feels comfortable).

Condition the show that inspection towards victims of disabilities disability intellectual in action criminal molestation own weakness alone in aspect proof. Limitations The intellectual abilities of the victim cause the victim to often experience difficulty in remember, understand, and convey return chronology incident in a way coherent, consistent, and detailed. In the examination process, the victim sometimes forget to time events, sequence events, as well as actions taken the perpetrator, so that investigator must use approach communication in a way slowly, simply, and repeatedly. In addition, the examination also requires help from people close to the victim who are trusted so that the victim feels safe and comfortable moment give information.

Condition the become weakness in proof Because the victim's statement is one of the tool proof important in action criminal molestation, especially when action criminal done without other witnesses and minimal evidence physical. The victim's inability to give information in a way consistent often cause difficulty for investigator in compile construction case in a way complete. In fact, in practice justice, differences or inconsistency potential victim statement utilized by the parties perpetrator and advisor the law doubtful victim credibility.

Weakness protection law to person with disabilities disability of victims of crime criminal molestation at the police station Cilacap can reviewed use theory system law from Lawrence M. Friedman who stated that system law consists of on three element main, namely structure legal structure, substance law (legal substance),

¹⁵ Michael Roberto, Andika Wijaya, Rizky Setyobowo Sangalang, Problems of Evidence in Cases of Indecent Acts against Mentally Ill Persons: A Criminal Procedure Law Analysis, *Journal of Innovative and Creativity*, Vol. 5 No. 3, 2025, pp. 33053-33061

and culture law (legal culture).

Weakness substance law (*legal substance*), weakness seen from Not yet existence rule technical and special SOPs about handling of victims of disabilities disability in the judicial process criminal. Although has there is Regulation Government Number 39 of 2020, the regulations Still nature general and normative so that not yet arrange in a way details about mechanism examination, technique communication, standards assistance, and procedures examination of victims of disabilities intellectual and mental. As a result, the authorities enforcer law on the ground Not yet own uniform guidelines in handling victims of disabilities disability. The absence of specific SOPs at the Police Headquarters Cilacap cause inspection Still use procedure generally applied against non- disabled victims, even though the victims are disabled disability need approach specifically so that their rights can fulfilled optimally.

Weakness structure legal *structure* is seen in capacity apparatus enforcer laws and limitations means infrastructure supporters. Investigators at the Police Headquarters Cilacap Still own limitations understanding about characteristics person with disabilities disabilities, in particular disability intellectual and mental conditions the show that apparatus enforcer law Not yet fully own competence special in do inspection to group vulnerable. In addition, the limitations facility like Not yet availability room inspection friendly disability, tools help communication, translator Language signals, as well as audio visual facilities show that structure institutional Not yet fully support realization accessibility law for person with disabilities disability. Weakness structure the law is also visible in aspect proof, where investigator experience difficulty get victim 's statement coherent and consistent Because limitations intellectual victim, while support power expert like psychologists, psychiatrists, and expert disability Still limited.

Weakness culture law (*legal culture*) is visible from Still existence intervention party perpetrator to the victim's family during the investigation process. Culture settlement case in a way family, fear against social stigma, as well as existence pressure psychological and persuasion peace cause the victim's family sometimes become No cooperative in the legal process. Conditions the show that awareness law public to importance victim protection and enforcement law Still not optimal. In addition, the culture law officers who are still oriented towards formal procedures also causes need specifically for victims of disabilities disability Not yet fully understood as part from protection right basic human and access to justice.

According to opinion writer, weakness protection law to person with disabilities disability of victims of crime criminal molestation at the police station Cilacap show that system law Not yet walk optimally because Still there is weakness in substance law, structure law and culture law. There is no specific SOP, limitation ability apparatus, less adequate means infrastructure, as well as Still existence intervention and culture settlement in a way family cause protection towards

victims of disabilities disability Not yet fully effective. Therefore that, is necessary improvement in a way comprehensively so that the system justice criminal more responsive, humanistic, and capable give fair protection for person with disabilities disability as group prone to.

3.3. Legal Protection for Person with disabilities Disability as a Victim of Crime Criminal Indecency Based on Justice Values in the Future

Person with disabilities disability accept various type violation due to his inability in a way physical and mental. Violations from frequent crimes accepted by the person with disability this is one of them among them that is crime immoral content indecency, rape and other sexual intercourse. Inability in a way intellectual from person with disabilities disability This make they target soft for the perpetrators crime.¹⁶

In Egypt, people with disability face complexity in fight for right they Because intersection between Islamic law and reality social. Islamic law, or Sharia, emphasizes justice, equality, and inclusion. The principles equality in Islam influences awareness self to right another self, as small and as weak whatever they. At this moment, Islam shows its luxury as reinforcement and protection rights Woman disability.¹⁷

Policy institution Egyptian legislature against person with disabilities disability experience development fundamental in the 21st century. Development This influenced by developments similar in law international in context rights person with disabilities disability, as shown by adoption Convention on the Rights of Persons with Disabilities Disabilities (CRPD). Egypt is a signatory Convention in 2007 and ratified it in 2008. The Egyptian legislature then gives significant attention to person with disabilities disabilities, which are visible clear good at the level constitutional and legislative.¹⁸

As For example, Article 81 of the 2014 Constitution is specifically for person with disabilities disability, which states that 'the state is obliged ensure rights health, economy, social, culture, entertainment, sports, and education for person with disabilities disability. the state is obliged provide chance work for them and allocate part from chance the they, besides complete facility general and environmental around they. the state guarantees right they for operate rights politics and integration they with citizens of other countries to reach principles

¹⁶Aida Ardini and Dinda Sukma Melati, Analysis of the Implementation of Legal Protection for Women and Children with Disabilities in Indonesia, *Rewang Rencang: Jurnal Hukum Lex Generalis*, Vol.6. No.6, 2025, pp. 1-16.

¹⁷ Ahmad Bahrul Hikam, 2023, *Taklif Construction: Persons with Disabilities in the Perspective of the Qur'an*, Mazda Media, Bojonegoro, p. 100.

¹⁸Magdi Shouaib et.all, The Evolution of Legislative Policy on the Rights of Persons with Disabilities in Egypt, *Scandinavian Journal of Disability Research*, 28(1), p.172–186

equality, justice and opportunity the same one.

Based on description on show that Egypt's commitment to give protection law to person with disabilities disability strengthened through ratification *Convention on the Rights of Persons with Disabilities (CRPD)* in 2008, which encourages update constitutional and legislative. This reflected in The Egyptian Constitution of 2014 which guarantees various right person with disabilities disability as well as in Constitution Number 10 of 2018 concerning the Rights of Persons with Disabilities Disabilities that require the state to protect and fulfill rights person with disabilities disability in accordance standard national and international. With Thus, Egypt shows strong commitment in realize equality, equal opportunity, and integration social for person with disabilities disability.

Based on protection law for person with disabilities disabilities in Egypt, then in Indonesia it has also been do enter rights person with disabilities disabilities in the Law on Persons with Disabilities Disability, as well as in regulation legislation others. However Thus, protection law to person with disabilities disability as a victim of crime criminal molestation Still there is a number of weakness Good from structure law, substance law and culture law. This is impact on effectiveness protection law not optimal. Therefore to in front protection law to person with disabilities disability of victims of crime criminal molestation need done in a way comprehensive through improvement substance law, structure law and culture law. In the future protection law to person with disabilities disability as a victim of crime criminal molestation can done with method as following:

1) Policy compilation standard operational procedures handling person with disabilities disability of victims of crime criminal

For optimize protection law to person with disabilities disability of victims of crime criminal molestation, then at the institution police need the existence of special SOPs for person with disabilities disabilities of a nature technical and applicable. The SOP must arrange mechanism examination of victims of disabilities intellectual, mental, sensory, and physical on each stage of the investigation process. In addition, SOPs are needed loading procedures simple communication, use companion, involvement psychologist or expert disabilities, as well as method friendly inspection disability and victim protection oriented.

2) Need existence education and training for investigator at the PPA Unit

Apparatus investigator Indonesian National Police moment This Still many have not bought it understand characteristics handle person with disabilities disability. Therefore That need improvement capacity and competence apparatus enforcer law, in particular PPA Unit investigator. Investigator need given education and training special about characteristics person with disabilities disability, engineering effective communication, approach psychological towards vulnerable victims, as well as method humanistic and non- discriminatory examination.

3) Provision adequate facilities and infrastructure for person with disabilities disability

Facilities and infrastructure in the PPA Unit are necessary equipped with accessible and friendly facilities disability as form fulfillment victims' rights. These efforts can done with provide room inspection special comfortable and not cause pressure psychological, tools help communication, audio visual facilities, lines access chair wheels, special toilets disabilities, as well as service translator Language signal. In addition, it is necessary available room mentoring psychological and home safe for victims in need protection special during the legal process ongoing. Provision facilities and infrastructure the it is important that victims of disability can follow the legal process in a way safe, comfortable, and equal in front of law.

Provision House safe and conducive is one of the form protection law and protection social for person with disabilities disabilities who are victims of crime criminal molestation. Safe house functioning as place protection temporary for victims to avoid threats, intimidation, pressure psychological, as well as intervention from party perpetrator during the legal process ongoing. Existence House safety is very important, especially for victims of disabilities disabilities that are psychological more prone to experiencing trauma and fear after occurrence action criminal.

Provision House safe can done through Work The same between police, government region, service social, as well as the Witness and Victim Protection Agency. In addition, the house safety is also necessary supported by manpower companion professional like psychologist, worker social, counselor, and companion disability so that needs special victims can fulfilled in a way maximum.

4) Approach flexible inspection

Apart from relying on victim's statement, investigator need strengthen tool other evidence such as post mortem et repertum, information expert, guide electronics, results inspection psychological, as well as information witness supporters. With Thus, the proof No only based on consistency victim's statement alone. Authorities enforcer law need understand that inconsistency statement of the victim of the disability disability No always show untruth, but can influenced by conditions psychological and limitations intellectual victim. Therefore that, approach proof must more protection - oriented group vulnerable and search truth material in a way substantive.

4. Conclusion

Protection law to person with disabilities disability as a victim of crime criminal molestation at the police station Cilacap basically has implemented in a way maximum and in line with provision Constitution Number 8 of 2016, Law Number 12 of 2022, as well as Regulation Government Number 39 of 2020. Form

protection the realized through non- discriminatory treatment, fulfillment of a sense of security and comfort during examination, assistance psychological and social, giving information about victims' rights and developments case, until provision House safe for victims who experience trauma or intimidation from party perpetrator. With Thus, protection the law given Police Station Cilacap has reflect effort fulfillment rights of victims of violence disability in a way more humanistic, accessible, and just in the judicial process criminal. Weakness protection law to person with disabilities disability as a victim of crime criminal molestation at the police station Cilacap covering Not yet the existence of special SOPs handling of victims of disabilities, limited understanding apparatus investigator about characteristics person with disabilities disability, less adequate facilities and infrastructure including limitations House safe, there is intervention from party perpetrator to the victim's family, as well as difficulty in aspect proof consequence limitations intellectual and psychological condition of the victim. the show that system protection law to person with disabilities disability Still Not yet fully responsive to need group prone to.

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