

The Contribution of Forensic Psychology to Improve the Protection of Rape Victims in Trials

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ABSTRACT

This study aims to identify the contribution of forensic psychology in the preparation of rape victims to testify in court and analyze the legal framework applicable to the protection of rape victims in the legal system in Indonesia. This research is normative juridical by using secondary data such as laws and regulations, literature studies, and expert interviews of Forensic Psychologists. The results of the first research analysis of forensic psychology contribute to the preparation and recovery of rape victims in the context of trials. By taking into account regulations such as Law Number 18 of 2014 concerning Mental Health and Regulation of the Minister of Health of the Republic of Indonesia Number 45 of 2017, the practice of forensic psychology in Indonesia is directed to improve practice standards and protect the public from unethical practices. Second, legal protection for rape victims in Indonesia consists of two main aspects, namely preventive and curative protection. Preventive protection is established through regulations such as Law Number 1 of 2023 concerning rape in the Criminal Code and Law Number 12 of 2022 concerning Sexual Violence (TPKS Law), which guarantees fair and comprehensive treatment and holistic recovery for victims. Curative legal protection is regulated by Law Number 36 of 2009 Article 144, which emphasizes treatment and rehabilitation approaches for victims after the commission of crimes.

INTRODUCTION

One of the impacts of the development of life or this era of globalization which is certainly very rapid, various crimes are increasing both in terms of quality and quantity. Looking at the perpetrators and victims who have so many cases to date, we know that the dynamics of the crime are massive and difficult to stop. One form of crime that is very detrimental and disturbing to society is immoral crimes, especially rape (Pratama, 2020).

Based on articles in online news daily, rape cases have increased from 2016 to 2021 there are variations in the number of rape and fornication cases in Indonesia from 2016 to 2021, with an increase of 5.06% in 2017, a decrease of 4.81% in 2018, and a sharp jump of 31.32% in 2020, although it decreased by 14.05% in 2021, shows the high cases of rape and molestation (Pahlevi. Reza, 2021).

Table 1. Number of Rape and Obscenity Cases in Indonesia from 2016 to 2021

Year	Number of Rape and Obscenity Cases in Indonesia
2016	5.247
2017	5.513
2018	5.248
2019	5.233
2020	6.872
2021	5.905

Rape is one of the most vicious and troubling crimes in society. Rape victims often face difficult challenges in the legal process and recovery. Not only do they have to deal with the stress of being in court, but they also have to deal with the serious psychological consequences arising from this traumatic experience (Yang et al., 2023). The handling of rape criminal cases is often fraught with obstacles, ranging from the stage of an investigation, and prosecution (Laugerud, 2020), to decision-making. In addition, proving rape or lewd acts is often difficult, especially if there are no witnesses.

Rape victims face many challenges during the trial and rehabilitation process. The results showed that it is often difficult to prove rape or sexual assault, especially if there are no witnesses (Kazmi et al., 2023). The public is still not fully aware of the law, especially sexual crimes against women and children (Mgolozeli & Duma, 2020). Victims may also fear social retaliation or discrimination. In legal proceedings, lack of support and protection is also a problem. Trauma and emotional distress can hinder a victim's ability to testify in court and recover from trauma. These barriers make it difficult for rape victims to seek justice and cope with psychological trauma (Wedani, N. P. A. M. & Dananjaya, 2015).

Therefore, it is important to raise public awareness of sexual crimes and support and protect victims during the legal process (Putri et al., 2021). Such efforts could include community development programs, partnerships with the police, and a larger role for legal awareness groups to raise legal awareness in the community. In addition, providing psychological support (Fryszter et al., 2022) and counseling can help victims recover from trauma and cope with the emotional impact of the crime (Thomas & Kopel, 2023). Victim psychology is an

important area of study in forensic psychology because it can help understand the impact of crime on victims and how to provide support and assistance to them, the psychological impact of victimhood, such as trauma, fear, and anxiety, and how this can affect the behavior and health of forensic victims and their application in the legal system, including victim psychology (Tiara & Pratiwi, 2018).

The law governing rape, especially Articles 285 to 286 of the Criminal Code, regulates the threat of punishment and prosecution of perpetrators of rape. Legal protection is provided to victims of rape through the principle of presumption of innocence, where the perpetrator is found guilty until proven guilty. Legal protection for victims during trials, including ensuring the security and protection of victims' privacy, providing them with legal representation, and compensating victims for losses caused. Legal protection of victims after trial, among others, through rehabilitation and social reintegration of victims, as well as the provision of social and social assistance to victims. Legal protection for victims is also regulated in Law Number 35 of 2014 concerning the Protection of Witnesses and Victims, regulating the protection, assistance, and rehabilitation of victims and witnesses in the context of trials.

The criminal justice system must be reformulated or restored so that the balance and justice of the law are truly fair based on the law based on fair regulations and fair thinking and place perpetrators and victims fairly from the aspect of "criminal acts" (Angkasa et al., 2023), not just from the aspect of the perpetrators. If both must be punished for having given birth to criminal acts, please, as long as a just law based on fair regulations and fair thinking to realize social justice for all Indonesian people want so

Although many rape crimes have been brought to court, in these cases the perpetrators have not been sentenced to the maximum as prescribed by law in the Criminal Code (KUHP). Chapter XIV on the crime of violation of decency (Article 281 s / d Article 296), especially the provisions regarding rape (Article 285) regulates (Sania & Utari, 2019): "Whoever by force or threat of violence compels a woman to have sexual intercourse out of wedlock, shall be punished with rape, with imprisonment for not more than twelve years". The criminal justice process (litigation/ruling) through certain social services is an important element that must be considered in criminal law policy and social policy, both by legislative, executive, and judicial institutions, as well as by existing social institutions (Suwito & Aribowo, 2019).

Regarding the relationship between social policy, law enforcement policy, and criminal policy rational efforts to overcome crime from the community are essentially part of law enforcement policy in a broad sense (covering both criminal, civil, administrative law, and others) because the goal is community protection to achieve public welfare, then law enforcement policy is also included in the field of social policy. Thus, social policy, law enforcement policy, and criminal policy have the same ultimate goal, namely community protection to achieve social welfare (Kil, 2021). Therefore, social policy, law enforcement policy, and criminal policy must be unified policy (Kenedi, 2017).

There are several reasons why rape cases are not reported by victims to law enforcement for trial in court, including because victims feel ashamed and

do not want others to know the shame that befell them. The victim was terrified, as her attacker threatened them and would kill them if they reported the matter to the police. This certainly affects the mental development of victims and also affects the law enforcement process itself to create a sense of justice for victims and society (Lilley et al., 2023).

According to Romli Atmasasmitta, efforts to change the rape law in Indonesia seem to be the right motivation, because legal development during the long-term development period II aims to prepare the country's (criminal) legal system (Muda et al., 2022). Even the initial draft of the National Penal Code (with the title: Violation of the morality of society, is a special chapter from the point of view of criminology and the approach of victims. This provides findings that additional research is still needed to improve. Several studies on child victims of moral crimes show that factors that cause moral crimes in children can be economic, environmental factors, and lack of parental supervision can help improve the development of perpetrators of sexual violence, including rape victims, to provide better legal protection for victims and society

The victim factor plays an important role in being able to overcome and solve this rape case. It takes courage for the victim to tell the police what happened to her because often the victim is faced with threats of rape from the perpetrator and this makes the victim frightened and traumatized. This complaint can be opened and an investigation carried out so that the victim can get justice for the incident that happened to him. But if the victim does not report the incident, then the desired justice will not be realized, the rapist will go free and his behavior will continue to follow other victims (Cuadrado-Gordillo et al., 2020). Legal proceedings against perpetrators of rape, fornication, and adultery are regulated in the Criminal Code (KUHP). A complaint offense is an offense that can only be resolved if there is a complaint or report from the person who is the victim of the crime. Legal protection for rape victims can be provided through various means, such as ensuring the safety and privacy of victims, providing legal assistance, providing psychological services to victims, and providing compensation for the losses they have to bear (Iksan et al., 2022).

A person who commits the crime of rape may have a sudden intention. This sudden intention can be seen from the factors of situation and opportunity. Factors of the situation and opportunity include a quiet surrounding situation and only the victim, or even before the perpetrator has seen pornographic images or watched pornographic films to further increase his sexual desire (Suseni & Untara, 2017). Watching porn can affect a person's perception of sexuality and sexual behavior. The results showed that watching unrealistic or unhealthy sexual content can increase the risk of unethical or inappropriate acts according to social norms. However, keep in mind that watching porn does not directly lead to acts of sexual assault or rape. An accumulation of psychological problems, social problems, or socialization problems can also play a role in such actions.

Rape is one form of sexual violence that afflicts many women around the world. Rape victims suffer deep psychological trauma and often face stigma and discrimination from society. Therefore, it is important to provide legal

protection to rape victims so that they do not feel isolated and can seek justice. The problem of sexual violence continues to torture women around the world, including rape (Murray et al., 2023). The psychological trauma that rape victims experience and its impact on their quality of life (Rusmana et al., 2020). The stigma and discrimination often faced by rape victims in society can hinder their life progress. There needs to be legal protection for rape victims so that they feel safe and get justice. Injustice often occurs in legal proceedings related to rape so it can lead to unbalanced decisions for victims.

In reality, victims feel unsafe to report sexual assault or rape because of social stigma, such as feeling ashamed or worthless for being criminalized by society or perceived as "victims." Fear of not being believed, because the victim is not sure others will believe their story or that they will be perceived as "creators of the conflict." Retraumatization occurs because the victim will experience a period of continuous trauma that causes stress. The victim is threatened and afraid of being terrorized by the attacker or people he knows. The legal process is unpleasant and supportive of the victim, the victim does not feel safe because the legal process is difficult to follow and is considered unfair (Tullio et al., 2023). Not to mention the uncertainty of the results obtained because it is unlikely that the culprit will be punished according to the law depending on his actions.

The crime of rape resulting in pregnancy (Wiryani et al., 2020) or not is a form of violence against women which is an example of the vulnerability of women's positions, especially to men's sexual interests. The sexual image of women who have been placed as male sexual objects has far-reaching implications for women's lives, so they are forced to always face violence, coercion, and physical and psychological torture. Psychologically likely to develop depression, shame, guilt, insecurity, phobias, and nightmares, victims can also harbor suspicion of others for quite a long time, even suicidal thoughts (Dokkedahl et al., 2022). Some feel limited in relationships with others, have sex, and are accompanied by fear of pregnancy as a result of rape.

For rape victims who have experienced extreme psychological trauma, there is a possibility of feeling a strong urge to commit suicide. The psychological impact caused by rape victims can endanger victims if not treated immediately. Therefore, it is important for victims of violence, including rape, to obtain appropriate and adequate legal protection and psychological support. The Witness and Victim Protection Agency (LPSK) can provide protection and support to witnesses and victims, including psychological support. In addition, victims of violence, including rape, may benefit from psychological assistance from institutions or organizations working in the field of mental health or reproductive health products (Tiara & Pratiwi, 2018). Here the role of forensic psychology is needed in recovery and facing trial.

Paying attention to and protecting the interests of victims of rape crimes, both through criminal proceedings and through certain social welfare institutions, is an unconditional element that must be taken into account by both the executive and the legislature in criminal law and social policy, judiciary, and other social institutions. With proper care and protection, victims can recover from traumatic experiences and return to living a normal life.

Victim protection ensures that victims are treated appropriately and fairly in the legal process (Angkasa et al., 2023). Proper protection and care of the victim can prevent the perpetrator from committing sexual violence again. Providing social support and protection to victims can help overcome problems such as financial problems, mental health problems, and socialization problems. Through criminal proceedings and social protection, victims can obtain the legal protection they need to exercise their rights and compensate for the harm they have suffered (Wadjo & Saimima, 2020).

The involvement of Forensic Psychologists in an institution that has a team of forensic psychologists who are experienced and trained in supporting victims of crime in the process of recovery and protection (Louison Vang et al., 2020). Their inclusion in this research will provide valuable insights into best practices in helping rape victims. With the understanding that the legal process can be a very difficult and confusing experience for rape victims, who often feel anxious, intimidated, and unsupported. Therefore, understanding the role of forensic psychology in providing support, counseling, and guidance to rape victims during the legal process and recovery is important in efforts to improve the well-being of victims and ensure that they get the justice they deserve.

Forensic psychology plays an important role in making law more therapeutic and helping the legal system more effectively achieve its goals. This approach is strongly influenced by the concept of therapeutic jurisprudence (Hadar & Gal, 2023) which states that legal systems should seek to support the health and emotional well-being of individuals in addition to ensuring justice and social order. Psychology can be used to improve evidence collection, improve decision-making, reduce crime, improve justice, and address the clinical psychology of victims (Rumney & McPhee, 2023).

Forensic psychologists in the criminal justice system play a role in supporting investigations by police, prosecutors, courts, and prisons. From the point of view of psychology, forensic psychologists are tasked with uncovering evidence related to criminal behavior. Because the problems that occur in society are increasingly complex, forensic psychologists use lie detectors, one of the techniques used, to solve cases with basic reasoning and strong reasoning. We are making various efforts. Next, the task of the forensic psychologist is to find out the psychological state of the perpetrator through psychiatric evaluation. Practicing psychologists directly determine the mental state of perpetrators of certain types of crimes to speed up the investigation process in police stations and elsewhere (Asa, 2022).

Forensic Psychology has an important role in helping rape victims, ranging from helping victims recover from trauma, providing psychological support and counseling, conducting mental health evaluations for trials, providing policy recommendations under the law, preventing similar incidents, to assisting law enforcement in understanding the motives of perpetrators and providing appropriate punishment according to the crimes committed by perpetrators (Asa, 2022; Dwiati, 2007; Efendi, 2018; Sopyani & Edwina, 2021). From the description above, the scope of this research can be formulated as follows:

1. What is the role of forensic psychology in preparing rape victims to testify in court?

2. What is the Legal Protection afforded to rape victims?

The objectives to be achieved in this study are as follows:

1. To identify the contribution of forensic psychology in the preparation of rape victims to testify in court
2. To identify and analyze the legal framework applicable to the protection of rape victims in the legal system in Indonesia.

Based on literature searches, the internet, and other sources of information, researchers who have focused on the contribution of forensic psychology in the protection of rape victims facing trial have not been found yet, however, there are several studies or at least the results of studies (studies) that have relevance to this research, among others, can be examined in table 1 below:

Table 2. Matrix of Comparative Scientific Papers that Have Relevance to Research

Previous Research				Research Novelty
No	Writer	Research Title	Research Results	
1.	Haeruny, L. D. (2023)	<i>Peran Forensik dalam Mengungkap Tindak Pidana Perkosaan Terhadap Orang dengan Gangguan Jiwa</i> (Doctoral dissertation, Universitas Hasanuddin).	The research method used is an empirical research method by conducting field research in the form of interviews and direct observation of the role and application of forensic science. The legal materials used are the main legal documents in the form of legal regulations, secondary legal documents (books, legal journals), and forensics, SOPs for the implementation of <i>forensics</i> and enforcement mechanism instructions or work instructions (other forensics) are then analyzed and researched and compared with applications in field research conducted by the authors, who then provide an in-depth analysis of the role and application of forensic science. The results showed 1) Mechanism for implementing forensic	Unlike the previous study, where the previous study was proven, while in this study, how the victim was accompanied psychologically and how the selection process occurred. The study subjects were also different interviewed was his forensic psychologist, not his forensic doctor.

Previous Research				Research Novelty
No	Writer	Research Title	Research Results	
			<p>medicine to detect rape crimes for ODGJ The mechanism used in its implementation is very important forensic, especially handling evidence at the time of crime scene processing, processing evidence of the victim's body through <i>Visum Et Repertum</i>, and the mechanism of examination of evidence in the form of semen, saliva, blood and other glands in the body.</p> <p>2) Regarding evidence of a criminal act. Forensics plays a role in presenting evidence in the form of a result letter. <i>Visum Et Repertum</i> test, test result letter, evidence in the form of blood, semen, saliva/saliva, and other body glands, and supplies. Expert testimony and its role in psychiatric examinations to assess the perpetrator's ability to take responsibility for the rape.</p>	
2.	Abdillah, M. F., & Santoso, I. (2022)	Psikiater Dalam Ranah Hukum Peradilan Pidana	<p>The results showed that the role of psychiatry is needed as an expert in every stage of examination in criminal procedural law both in the investigation examination stage, additional examination on the prosecution, and expert testimony on the evidence at the trial. The research method uses a Literature Review and the subject of the research is a psychiatrist</p>	<p>In this study, in addition to a literature review of research methods using in-depth interviews with research subjects such as forensic psychologists, so that the results carried out are more optimal</p>

Previous Research				Research Novelty
No	Writer	Research Title	Research Results	
3.	Swandari et all (2022)	Tinjauan Teoritis Psikologi terhadap Anak yang Menjadi Korban Kekerasan Seksual.	The results showed that the foundation Juridical legal psychology as a form of special protection to ensure the psychology of child victims of sexual violence is regulated in Article 69 of the Child Protection Law, namely the letters "C and D". Protection efforts at every level of examination from investigation to judge's decision, provision of social rehabilitation, psychosocial assistance, psychosocial rehabilitation, and psychological rehabilitation as a form of protection provided by the Law so that a sense of protection is fulfilled by child victims. His research method is normative literature and juridical studies	Swandri's juridical normative research needs to be developed by adding a forensic psychologist's perspective on victims in the field

LITERATURE REVIEW

Forensic Psychology

Forensic psychology is the field of psychology concerned with the application of psychological principles in the legal system (Every-Palmer et al., 2023). The principles of forensic psychology can help rape victims give convincing testimony in court and during the recovery period. The well-known forensic psychologist Thomas Grisso defines to represent psychologists, that is, forensic psychologists are all psychologists, experimental or clinical, who focus on generating or communicating psychological research or assessment of information useful to be presented in court (Ni Made Swandari et al., 2022). Forensic psychology can help victims cope with and recover from trauma. This psychological support can help victims develop strong psychological resilience and recover from the trauma they experienced. Forensic psychologists can help victims give strong and accurate testimony in court.

Victimology

Victimology theory makes important contributions to understanding the role of victims in the legal system, reducing the impact of victim blaming, and improving the protection and recovery of rape victims (Hearty & Hearty, 2024). By eliminating the stigma and blame often directed at victims, this theory can increase public awareness and understanding of rape and its impact on victims (Downey & Crummy, 2022). In addition, victimology theory also helps in providing emotional and social support to victims, helping them develop strong psychological resilience, as well as recover from the trauma they experienced through psychological support such as counseling or therapy.

Legal Protection

Salmond's theory of legal protection presented by Fitzgerald emphasizes the importance of law in harmonizing and balancing the interests of society holistically (Aulia Putri, 2021; Bayu & Kiswanto, 2023; Yulianti, 2021). This view indicates that law is not just a set of rules, but rather a normative framework that aims to integrate the various interests of individuals, groups, and organizations in society. This creates a just and orderly social order, with the law as a tool to prevent conflict and deal with abuses through preventive and repressive efforts. This approach also highlights the importance of discretion in government decision-making, with the law as a motivation to consider the legal implications of any policy taken. Thus, Salmond's theory of legal protection provides a solid foundation for the construction of a legal system that functions effectively in maintaining social harmony and justice for the whole society.

Legal Protection of Rape Victims

The protection of rape victims needs to be understood holistically, as it has complex impacts on both physical and psychological levels, as well as their personal and social lives (Barasa et al., 2022; Parera, 2021). Physical impact is a physical injury that can be caused by acts of violence, while psychological impact is psychological trauma that can last a long time. In addition, the impact can also be reflected in the personal and social lives of victims, such as isolation, difficulties in social interaction, and disruption of interpersonal relationships. Rape victims suffer a variety of physical and psychological impacts, including physical injury, sleep disturbances, depression, and post-traumatic stress disorder (PTSD) (Covers et al., 2021; Högbeck & Möller, 2022). The impact of rape is not limited to the physical aspect but also includes emotional, social, and overall quality of life impacts.

METHODOLOGY

This research method will use a normative juridical approach. This approach involves an analysis of various legal regulations, statutes, and norms relating to the protection and contribution of forensic psychology. Data will be collected through a literature study, focusing on legal literature, forensic psychology, and relevant rape cases in Indonesia. Secondary data with interviews conducted with Dr. Rahmi Lubis, M. Psi, Psychologist as Chairman of the Association of Forensic Psychology (APSIFOR) North Sumatra Region.

RESEARCH RESULT

The results showed that forensic psychology has a major contribution to improving the protection of rape victims in trials. It is based on interviews conducted with Rahmi's mother, that the legal protection process for victims aims to ensure their psychological well-being by preventing repeated trauma, through the provision of comprehensive medical and psychosocial assistance that supports physical, psychological, and mental recovery, and strengthens a sense of security in their lives, which realizes the need for active participation from all levels of society and relevant stakeholders, This includes the improvement of forums such as children's forums and learning forums, as well as the provision of the best protection, especially from parents, especially mothers, with the understanding that protection for adults is generally easier because of their ability to communicate directly.

Forensic psychologists have a variety of methods such as therapy, play therapy, Neuro-Linguistic Programming, hypnotherapy, and game models to help rape victims, which also require professional support such as psychologists, counselors, trauma therapists, and others, as well as providing relevant information about legal protection and victim rights, while as therapists, it is important to be empathetic listeners to ensure victims feel safe, So it is hoped that the recovery process of victims will be easier. In the trial process, the presence of family such as parents or close relatives and psychologists is very important to make victims feel comfortable, considering that there are victims who can experience various conditions of stress, trauma, anxiety, mental disorders, and depression during the trial due to factors such as long duration, decreased self-confidence, and the possibility of experiencing PTSD with symptoms such as nightmares, flashbacks, and overreaction.

DISCUSSION

Forensic Psychology Prepares Rape Victims for Trial

Thomas Grisso stresses that all forensic psychologists, both experimental and clinical, focus on psychological research and assessment that is beneficial for use in court. Regulations such as Law Number 18 of 2014 concerning Mental Health and Regulation of the Minister of Health of the Republic of Indonesia Number 45 of 2017 regulate the practice of clinical psychologists and mental health examinations for legal purposes, intending to improve the standards and quality of clinical psychologist practice and protect the public from unethical or incompetent practices. Third, the importance of appropriate competencies and qualifications in the practice of forensic psychology in Indonesia is emphasized, including a strong understanding of the legal system in Indonesia and the enforcement of professional codes of ethics. By adhering to these principles, the practice and research of forensic psychology can make a positive contribution to supporting justice and a better understanding of the psychological aspects of the legal realm. Mrs. Rahmi Lubis elaborated on the importance of applying psychology in law, especially in psychology law, which focuses on the functions of assessment, intervention, and consultation. This needs to be done before the trial, during the trial, and post-trial.

1. Psychological Assessment (Tullio et al., 2023) Forensic psychologists help collect data and evidence that is the basis of the judge's confidence in making a case decision. The assessment process involves various stages, such as interviews, mental health assessments, behavioral observations, trauma impact analysis, to suicide or self-harm risk assessments. This assessment is important to understand the characteristics of perpetrators and victims, which then becomes the basis for the development of more effective prevention and treatment programs.
2. Intervention (Lomax & Meyrick, 2022) Forensic psychologists provide support throughout the legal process, from mentoring during the trial to post-trial mentoring. During trials, psychologists assist victims in managing traumatic impacts and prepare them to speak in court. After the trial, support from family and the social environment becomes important in helping victims recover from trauma, however, when families become sources of revictimization, legal institutions and forensic psychologists play a crucial role in forming effective cooperation.
3. Consultation (Buffone & Goldman, 2021; Henky, 2017; Mgozozeli & Duma, 2020; Sutama et al., 2023) Forensic psychologists provide consultation that is important in the recovery process of rape victims. Through in-depth assessment, psychologists help victims cope with trauma and move on with life by providing needed support and guidance. The recovery process involves several stages, such as victim assessment, recovery with emotional stability, and therapeutic techniques such as play therapy, hypnotherapy, and Neuro-Linguistic Programming (NLP).

Collaboration between law and forensic psychology is essential in ensuring balanced and supportive legal protection for rape victims in the justice system. The integration of aspects of forensic psychology in the judicial process creates a more fair and supportive environment for victims, while still considering the need to present the necessary evidence in court. Thus, this approach ensures that the emotional and psychological needs of victims are addressed while still ensuring holistic and optimal justice in the justice system.

In the process of recovering victims and trauma, collaboration between various parties is crucial. Forensic psychologists, with their in-depth understanding of the law, have an important role to play in helping victims cope with the impact of crime and trauma. This collaboration involves forensic psychologists, lawyers, investigators, forensic medical personnel, and others, under the provisions of Law Number 12 of 2022. In addition, the referral of victims to the Integrated Service Center for Women and Children Empowerment (P2TP2A) is an important step to ensure assistance from forensic psychologists in the recovery process. The accessibility challenges to forensic psychologists, especially in certain areas, point to the need for efforts to improve their access and availability. Training and eligibility for victim companions, as stipulated by law, are also important aspects of supporting victim recovery. With synergy between stakeholders and emphasis on medical, psychological, social, legal, and community aspects, it is hoped that this approach can provide comprehensive and sustainable services for victims of crime, under the principles of human rights and justice.

Legal Protection of Rape Victims

1. Preventive Protection

Law Number 1 of 2023 concerning rape in the Criminal Code shows the commitment of Indonesian law to protecting victims of sexual crimes. The law stipulates that rape is an unlawful act that forces a person to have sexual relations with violence or threats of violence, with a penalty of imprisonment of up to 12 years. These crimes include a variety of situations, such as non-consensual intercourse, copulation with a child, intercourse with a helpless or fainting person, and copulation with a mental/intellectual disability in reward or by misdirection. Victim protection arrangements in Indonesian criminal law are fairly well regulated, as stated in the Criminal Code and Criminal Procedure Code. Article 14c paragraph (1) of the Criminal Code gives the right to judges to set special conditions for convicts to compensate for losses caused to victims. Similarly, the Criminal Procedure Code, which regulates compensation provided by victims by combining criminal and civil cases

Law Number 12 of 2022 concerning Sexual Violence (TPKS Law) provides a comprehensive legal basis for dealing with sexual violence with a focus on victim protection and recovery (Undang-Undang Republik Indonesia Nomor 12, 2022). The law guarantees fair and consistent treatment of all forms of sexual violence and protects the rights of victims as a whole. Programs authorized by the trafficking law, such as rehabilitation, mentoring, and recovery, are structured to help victims cope with the physical, mental, spiritual, and social consequences arising from such crimes. Thus, the TPKS Law not only aims to improve law enforcement against perpetrators of sexual violence but also to reduce the number of victims and provide holistic protection and recovery. These actions reflect the government's commitment to addressing the traumatic impacts experienced by victims of sexual violence and ensuring that they receive the support needed for a comprehensive recovery.

In addition, there are concrete efforts to provide compensation, restitution, and medical assistance or social psychological rehabilitation to victims, as stipulated in PP Number 35 of 2020. This shows that legal protection is not only focused on the criminal aspect but also the recovery and reintegration of victims into society. However, there are challenges in implementing the regulation, such as a lack of understanding and awareness among law enforcement officials, as well as limited resources to provide mentoring and rehabilitation services. In addition, there is also unevenness in the implementation of regulations across Indonesia, indicating the need for further efforts to strengthen the legal protection system.

2. Curative Legal Protection

Law Number 36 of 2009 Article 144 paragraph (1) regulates mental health efforts that aim to ensure everyone can enjoy a healthy mental life, free from fear, pressure, and other disorders that can interfere with mental health. Paragraph (2) of this article states that mental health efforts consist of preventive, promotive, curative, and rehabilitative patients with mental disorders and psychosocial problems. In the context of protecting rape victims, the curative approach described in the law emphasizes handling and treatment

after the crime. The focus is on providing medical care and rehabilitation for victims to reduce the suffering caused by the incident. The impact of curative protection for rape victims, especially children and adolescents, involves various aspects, including cooperation with families and surrounding communities.

However, the reality on the ground shows that families are sometimes unable to provide adequate protection, even tending to blame the victim. Therefore, the need for interventions such as family therapy becomes important to support the psychological recovery of victims and maintain family well-being. The impact of curative protection on rape victims also includes physical, mental, and social aspects. Victims experience a variety of physical and mental health issues, including sleep disturbances, depression, and PTSD.

The recovery process requires appropriate psychological support, but sometimes it is difficult to get psychological services, especially for victims who come from weak economic layers. The importance of coordination between stakeholders and special training for victim companions are also highlighted in curative protection efforts. Collaboration between governments, educational institutions, child protection agencies, and communities is key in providing holistic support for rape victims. Early sex education is also considered an effective holistic strategy for preventing cases of sexual abuse and violence against children. Through this program, children and parents are empowered to understand their bodies, personal boundaries, and rights, and build a supportive and safe environment. In the context of the protection of rape victims, the need to improve the competence of psychological service personnel, as well as better coordination between stakeholders, is key in ensuring optimal recovery for victims and prevention of future cases of sexual violence.

CONCLUSIONS AND RECOMMENDATIONS

Forensic psychology contributes to the preparation and recovery of rape victims in the context of trials. By taking into account regulations such as Law Number 18 of 2014 concerning Mental Health and Regulation of the Minister of Health of the Republic of Indonesia Number 45 of 2017, the practice of forensic psychology in Indonesia is directed to improve practice standards and protect the public from unethical practices. Forensic psychologists conduct in-depth assessments, interventions, and consultations before, during, and post-trial to help victims understand and manage traumatic impacts and prepare them to testify in court. Collaboration between law and forensic psychology is crucial in ensuring balanced protection for victims in the justice system, while still paying attention to justice and the emotional and psychological needs of victims. Although challenges such as accessibility to forensic psychologist services need to be addressed, synergies between stakeholders and eligibility for victim companions are expected to provide comprehensive and sustainable services for victims, under the principles of human rights and justice.

Legal protection for rape victims in Indonesia consists of two main aspects, namely preventive and curative protection. Preventive protection is established through regulations such as Law Number 1 of 2023 concerning rape in the Criminal Code and Law Number 12 of 2022 concerning Sexual Violence

(TPKS Law), which guarantees fair and comprehensive treatment and holistic recovery for victims. Nonetheless, implementation challenges such as lack of understanding among law enforcement officials and limited resources need to be addressed to ensure effective protection. On the other hand, curative legal protection is regulated by Law Number 36 of 2009 Article 144, which emphasizes treatment and rehabilitation approaches for victims after the commission of crimes. This research is normative juridical, but in the future empirical juridical research can be carried out, by paying direct attention to the victim's side and how the process of handling victims is carried out by forensic and government psychologists.

ADVANCED RESEARCH

This research topic is indeed hotly discussed in Indonesia, however, challenges such as the difficulty of obtaining psychological services, especially for victims from weak economic layers, show the need for coordination between stakeholders and increasing the competence of psychological service personnel in providing holistic support for victims. In this regard, collaboration between the government, educational institutions, child protection agencies, and communities is important in ensuring optimal recovery for victims and prevention of future cases of sexual violence. Thus, comprehensive legal protection of rape victims requires close integration of preventive and curative aspects, as well as good cooperation among various stakeholders to achieve broader goals in addressing this problem. In the future, it is recommended that there are researchers who research what kind of model is appropriate in dealing with rape victims, or what kind of recovery techniques are most optimal for rape victims.

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