



## Discretion as Alternative Resolution of Criminal Act of Domestic Violence at Jayapura

Budiyanto

Faculty of Law, Cendrawasih University, Papua, Indonesia

<http://dx.doi.org/10.18415/ijmmu.v10i11.5257>

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### **Abstract**

This research aims to examine in depth on the application of the discretion which is done by the police officers on handling domestic violence in Jayapura and the obstacles which encountered. The method which is used in this research is normative legal research which is supported by empirical legal research. The result of this research found that there's 6 cases of domestic violence at Jayapura which were resolved through criminal justice process and the victim didn't withdraw their report. Facts revealed there were 13 cases of domestic violence which were resolved through reconciliation by restorative justice. Amicable settlement is the best alternative to protect the wife and children from the threat of the husband's anger and revenge after serving a sentence. The officials use restorative justice as the discretion choice on settle the domestic violence cases. The obstacle which experienced by the victim and the perpetrators have a different reason. A settlement of the case through the criminal court or reconciliation has been agreed by both parties as the best solution for the future. Even though it is impacting on the punishment of the perpetrator, or a divorce is happened, both parties have considered the consequences of the solution which chosen.

**Keywords:** *Discretion; Restorative Justice; Reconciliation*

### **Introduction**

The problems in a household sometimes happened and experienced by everyone who officially married. On a certain family, a different opinion is certainly a familiar problem, a loud speech, until a regular verbal altercation. Those problems are still within a reasonable limit because it is seen as the spice on a marriage. But sometimes starting from a small problem it evolves into a conflict and a tension which leads into violence. On a several families, of course there is a husband, wife, kids, and other which lives beside the family. But if it is the husband who become a perpetrator of a violence to his wife, this condition known as domestic violence (in Indonesia known as *Kekerasan Dalam Rumah Tangga/KDRT*).

Most people seen that a home is the safest place to protect women from violence. But on reality, a woman is sometimes experienced a violence and resulting in injury on their own home. The form of violence which happened is a physical violence, which can physiologically disturbing, sexual abuse, and economic neglect. As if they as a wife, kids, or other family members on one household cannot get a

security guarantee from violence. The existence of the Law No. 23 of 2004 of the Elimination of Domestic Violence hoped to protect the victim.

The case of domestic violence has happened on this world long before, not only in Indonesia. so do the conditions at Papua Province especially Jayapura, the case of domestic violence often occur even though there's many of it not reported. The main reason for the victim to not report every incident to the police official because they're embarrassed and afraid being threatened by the perpetrator (husband). Other than that, if the victim is the wife, then they're afraid of divorced and not provided economically by husband. So that the victim chooses to hide the problems and accepts the fate and hopes that the perpetrator is aware of his action in the future.

Nationally, the case of domestic violence is still high, not often the wife as the victim suffered a serious injured to died. Most of the perpetrators are still their legal husbands. A finding from the annual records of National Woman Commission said that the number of complain in the personal field precisely 2.098 cases, public field 1.276 cases and state field 68 cases. The data stated on tirto.id said until 14 September 2023, the number of domestic violence cases reach 18.466 cases, most of the victim are woman around 16.351 woman. While the total of the domestic violence cases around 11.324 cases, and around 12.158 victims. On 2022 until June 2023, the domestic violence which involve woman around 15.921 cases and 16.275 victims. The victim of violence against woman, most of it are physical violence (7.940), psychological violence (6.576), sexual violence (2.948), and economic neglect (2.199).

On the west region of Indonesia, the case of violence on Papua as per 20 June 2023 around 586 cases. The case of domestic violence which being handled around 186 cases, then on 2021 88 cases, 2022 48 cases. While the cases in Papua as per 1 January 2023 around 473 cases, 259 of woman as a victim, 445 kids as a victim. Papuan Women and Children Empowerment Study Institute, the number of domestic violence cases in 2020 around 30 cases, in 2021 around 19 cases and in 2022 around 11 cases. While the violence cases which reported by Resort Police on Jayapura on 2022 are 53 cases, and there's a woman victim around 30 woman. While the cases of domestic violence are 3 cases and some of them are on process to the court. Several research have revealed the domestic violence cases trend are increased because of its background caused by the condition of the household. The case of domestic violence at Jayapura is dominated by the husband which under the influence of alcohol. The alcohol is the main trigger, then because of the third parties, economic factor, and other factors.

To prevent and overcome the act of domestic violence on Jayapura, the police official has been working together with the stakeholders including the community. On of them are the socialization of the Elimination of Domestic Violence to the community on several ward including Dobonsolo, Hinekombe, Sentani City, Hatim, and Tabri. Also, in several district such as Sentani District, East Sentani, West Sentani, Depapre, Kemtuk, Kemtuk Gresi, Nimboran, Nimbokrang, Unurum Guaym Demta, Kaureh, Ebungfao, Waibu, Nambluong, Yapsi, Airu, Raveni Rara, Gresi Selatan, and Yokari. It is intended to give some knowledge to the society to able maintain harmony and build a good household. But even though a socialization has been conducted, the fact that domestic violence in Jayapura still occurred until today.

The settlement of domestic violence cases in Jayapura is settled through litigation process and non-litigation process. This also stated by Erita Rosa Larasati Daut, on its result of previous research, that on handling domestic violence cases is settled through the court and penal mediation. The settlement through penal mediation is referred on the Republic of Indonesia State Police Letter No. Pol B/3022/XII/2009/Sdeops date 14 December 2009 regarding on Settlement of Cases through Alternative Dispute Resolution. This means that settlement of cases could be done amicably according to the victim and the perpetrator as long as the value of the loss is small. Other than that, the settlement which is done has to see the norms that applied on the society including customary norms to create sense of justice for both parties.

In fact, the settlement of domestic violence is still facing obstacles such as: the victim withdrew the report, husband have paid the dowry, the husband had been the one earning the living, and the

influence of patrilineal culture which consider men to have more dominant role than woman in terms of decision making, lineage (clan). Therefore, towards the husband which has paid the dowry as if he could take any action against his wife because it had been bought or paid for the dowry. So that the husband has a strong and powerful position over his wife.

According to the condition, then the member of the Jayapura resort police criminal investigation unit taken a discretion act to settle the domestic violence cases in Jayapura. On the other words, if both parties agreed to reconcile, or by using restorative justice approaches, then the police which act as the mediator, facilitator, and create a reconciliation letter. The police will not further process the perpetrator if the victim is safe, and its rights are protected. So, the goals which will be achieved namely justice, legal certainty and benefits could be reached.

Previous research has analyzed the case of domestic violence from many perspectives which are different, but it is not discussed further regarding on discretion which is done by the police official. Therefore, this research will study further about the discretion by the police official to settle the domestic violence cases and the obstacle which faced on its settlement process on the case of domestic violence in Jayapura.

### ***Research Method***

This research used normative legal research method which is based on the laws and regulations also from expert opinion, supported by empirical-legal research which is based on observations and interview. The interview is done to gain information and answers from the person which is the subject of this study. Descriptive data analysis is carried out in stages, whereas the data which is obtained is classified and described systematically by using deductive method so it can be obtained a conclusion which is accountable and corresponds to the goals of this research.

### **The Implementation of Discretion by Police Officials on the Settlement of Domestic Violence Cases in Jayapura**

As we know, the case of domestic violence refers to Law No. 23 of 2004 of the Elimination of Domestic Violence. On Article 1 of the Domestic Violence law, it is stated that Violence in Household shall be any act against anyone particularly woman, bringing about physical, sexual, psychological misery or suffering, and/or negligence of household. The perpetrator which proven do the type of physical violence such as hitting, kicking, thus causing injury on the body of the victim. The perpetrator which proven done the physical violence will be punished for imprisonment for 5 years or paying fine 15 Million Rupiah as stated on Article 44 of Domestic Violence law, if the victim are sick or having serious injury the imprisonment will be 10 years and fine for 45 Million Rupiah, and if it done by husband or vice versa didn't create an injury which doesn't create an obstacle on working, the imprisonment will be 4 months or fine for 5 Million Rupiah (categorized as a complaint offense).

The psychological threat such as taunting, cursing, insulting, threatening, and frightening is threatened by Article 45 of the Domestic Violence law, which is imprisonment for 3 years or fine of 9 Million Rupiah, and if it done by husband or vice versa which not bringing about sickness or obstruction to perform work of the position or to earn daily livelihood or activity, the perpetrator shall be punished with imprisonment of no longer than 4 (four) months or fine of 3 Million Rupiah. The sexual violence such as forcing sexual intercourse, is threatened by imprisonment not longer than 12 (twelve) years or fine of not more than 36 million Rupiah (Article 46 of the Domestic Violence law), and if it done by husband or vice versa is punished with imprisonment of not shorter than 4 (four) months or fine of not more than 3 million rupiah, and if it anyone forcing an individual living in the same house to commit sexual intercourse is punished with imprisonment of no longer than 15 (fifteen) years or fine of at least 12 million or fine of not more than 300 million rupiah (Article 47 of Domestic Violence law). The threat of economic violence or household neglect, including not providing a living for another individual within

the scope of household, taking wife property, husband is not honest and hiding its salary, is threatened by imprisonment for not more than 3 years or fine for 15 million rupiah (Article 49 of Domestic Violence Law). While additional crime which the judge can impose is to limit the movement of the perpetrator to get the perpetrator away from the victim at a certain distance and within a certain period, or limitation of certain rights of the perpetrator and ruling the perpetrator to undergo counseling program under the supervision of a certain institution.

Apart from the law of domestic violence, the perpetrators could also be subject of punishment of the criminal law code or if the victim is a child, the Law No. 17 of 2016 on Stipulation of Government Regulation in Lieu of Law Number 1 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection into Law. Even though on reality the prosecution and punishment on the perpetrator of domestic violence is seems not maximum as stated on the crime punishment according to the Domestic Violence Law then ideally if it has been included on the maximum crime punishment then the police, prosecutor and judge need to act firmly and applied the maximum punishment. On other side the judge verdict which is maximum is hoped to prevent the threat of domestic violence and giving a deterrent effect to the perpetrators. On the other hand, the maximum judge verdict could also protect the victim. The protection for the victim on the Domestic Violence Law is stated on the Article 16 till Article 38 of Domestic Violence Law. This showed that the problem of domestic violence is have a good place for the victim both for woman and child. But the form of the legal protection on the Domestic Violence Law is still unknown and couldn't be utilized by many people including the law enforcer, victim, and society.

The result of the study showed that the main factor of the domestic violence cases in Jayapura is triggered by alcohol. This is the same with the previous study also in Jayapura that the perpetrators have mistreated his wife until injured because under the effect of alcohol. But on the development of the case, the victim has forgiven the perpetrators, and it has been settled amicably. The perpetrators agreed to sign a statement letter and promise to not do it again. Other factors are caused by an affair, economy, and patriarchy culture. This is in line with **Aina Rumiati Azis** opinion, that the factor of violence towards woman are: 1) Patriarchy culture which placing man as superior creature and woman as interior creature; 2) a mislead knowledge about religious teaching so that a man could control woman; 3) an impersonation of a boy which lived with his dad which always beating, sometimes they will impersonate the act of his father.

According to the interview it revealed that the settlement of domestic violence cases in Jayapura is done through 2 process which are criminal court and amicable solution through restorative justice approach. This means that the criminal court process is based on the desire to impose a crime on the perpetrator. Different from using restorative justice approach which is more into the desire to restore the damaged condition back to normal. Besides, it is also put forward the main goals which to create a balanced order between victim and perpetrator in the future. The number of domestic violence cases in Jayapura can be seen from the table below. **Case of Domestic Violence on the Jayapura Resort Police 2021-2023**

No	Year	Settlement Process				Total
		Preliminary Investigation	Full Investigation	Restorative Justice	Done	
1	2021	-	1	8	1	10
2	2022	-	2	2	5	9
3	August 2023	1	3	3	-	7
<b>Total</b>		<b>1</b>	<b>6</b>	<b>13</b>	<b>6</b>	<b>26</b>

Source: PPA Unit, Jayapura Police Criminal Investigation Unit, October 2023

According to the table, the total number of domestic violence which handled by Jayapura Police Official are 26 cases. The settlement process until the case is delegate into court are 6 cases which violate Article 44 (1) of Domestic Violence law, while the restorative justice process are 13 cases, the rest 1 case still on preliminary investigation and 6 cases still on full investigation. 1 case in 2021 and 3 cases in 2022 the victim (wife) files a divorce. It seems from the court process has a negative impact to the household integrity of the perpetrator and victim which ended in divorce. This is because there are several reasons which are the victim is scared and traumatized, the victim always mistreated and abused, the perpetrator repeats the violence, and the victim doesn't want to reconcile.

While 13 cases which choose to reconcile with restorative justice approach, they're return to harmony and living together, because both apologize, and the perpetrators promise to not do the action again. But 1 case which settled by reconcile through restorative justice ended to choose divorced for good. This is in line with the theory of legal objectives, whereas the justice, certainty and benefits are fulfilled for all parties. The victim felt the protection is fulfilled and feel safe in the future because the perpetrator and victim are agreed to create a statement letter before the police official. Moreover, the household is back to peace and their child is not being the victim of divorce. Therefore, the settlement of domestic violence amicably through restorative justice is prioritized on handling domestic violence cases in Jayapura Police Official. Referring to the previous study, it does have the same result that the Police Official in West Tanjung Jabung, the domestic violence case is also settle amicably, because the perpetrator agreed to apologize to the victim and family, so that the victim withdrew the report.

The settlement through criminal court puts the victim in the weak position because it is taken over by the law enforcer on every stage which are full investigation, prosecution, and trial. The victim seems to not have an opportunity to file a claim and ask for a maximum punishment from the judges. Moreover, there's not a guarantee of protection to the victim after the husband has its sentence done on prison. So, it's not a surprise when the husband is threatening and mistreating his wife even though they're divorced. Because of that, the victim chooses more to settle the domestic violence cases amicably for the sakes of their children's future.

The presence of restorative justice to settle the domestic violence cases, is being a reference to find the best solution for all parties. both for the interest of the victim, perpetrator and for both victim and perpetrator family and for society. The settlement of domestic violence through restorative justice gives a chance to the perpetrator to regret and realize its action to his wife. The perpetrator is required to be responsible to fix its relationship because of its action. The terms of responsibility of the perpetrator are just to give a sense of justice for the victim and find the best solution as possible. Moreover, the victim needed to be involved in seeking justice and determine compensation.

The settlement of domestic violence through restorative justice approach is needed the involvement of the perpetrator, victim, both family of victim and perpetrator, the law enforcer official or other parties. The purpose is to find the best solution and justice to restore the situation. Seen that the basic principle of restorative justice to restore the situation towards the victim which suffer by giving compensation through deliberation, mediation, peace, and other agreements. Therefore, the presence of all related parties is important to give suggestions and find the best solution possible.

According to the interview, it is revealed that the case of domestic violence which is handled under the Woman and Children Service Unit of Jayapura Resort Police which is under criminal investigation unit. The settlement process through restorative justice is the best solution to maintain balance between the interest of perpetrators and victim. This is inline with the Indonesia Police Regulation No. 08 of 2021 regarding on the Settlement of Criminal Act Based on Restorative Justice. The perpetrator of domestic violence in Jayapura is the husband while the victim is the wife. This is inline with the previous study which stated, "*Data from the United Nations (Zikra, 2019) shows that 2 out of three cases of family violence that occur throughout the world, the victims are women.*" The case of domestic violence which reported by the victim and handled by the Criminal Investigation Unit within the Jayapura Police Department. The duty of the criminal investigation unit is providing guidance, initiation

investigation, full investigation, identification, coordination and supervise as well as administration of investigation.

As for the procedure of the discretion by the police official on handling the domestic violence cases in Jayapura, including: *first*, if the domestic violence cases was not reported yet to the investigation unit, then the settlement could be done by the parties which are: victim, perpetrator, family, public figure, religious leader, traditional figure (tribal chief), and other parties as mediator or facilitator. On the case of domestic violence which involve the indigenous communities, then the settlement is handled to both parties. the victim on seeking for protection coming first to their parents or the tribal chief (*ondoafi*). The families or tribal chief, amicably come to the perpetrator or its family to give advice and find best solution for the victim and perpetrator. Even though sometimes the perpetrator or his family need to pay customary fines as the result of the damage which is experienced by the victim. Referring to the patriarchy theory as stated by **Siti Mas'udah, et. al.** on Sosiologi Dialektika Journal, stated that, "*In the theory of patriarchy (Walby 1990), it is stated that patriarchy is a social system in which men's practices dominate, oppress, and exploit women.*" Patriarchy system is interpreted as a social system which placing men on the superior place and having an authority towards woman. The patriarchy system ins increasing the risk of violence towards woman as wife. Therefore, the culture of patriarchy which still attached on the indigenous people of Jayapura is impact the violence towards the wife. The police official will be present on the settlement of the domestic violence cases in Jayapura if they were asked to accompany or protecting then reconcile is done. It's also applied when the case of domestic violence is reported to the police, then the police will use its discretion authority to take the best policy for both parties. The police official will first try to reconcile both parties, even though the case was a criminal case. This step is taken because the police official sees that the case of domestic violence which occurred is a light case and could be reconciled. Therefore, the police official acts as a companion while also being facilitator or mediator if the parties ask for.

*Second*, if the domestic violence cases has been reported by the victim and/or the family of the victim to the criminal investigation unit of Jayapura, and the case still not going into full investigation, then the police officer will take a step as follows: a) the victim parties and perpetrator will be asked to come into the police station, b) the victim parties and perpetrator will be asked to recount the chronology about the domestic violence case, c) the official will asked several question and suggestion for both parties, d) the officer will also ask for information from both parties and answering a question asked by the officer in an honest and correctly according to the question which asked, e) after the parties giving its statement, then the officer will find the best solution in accordance with the problems happened, and f) if after all the steps has been carried out and the reconcile proposal is agreed by the parties, the officer will act as intermediary or mediator in resolving the domestic violence case.

*Third*, if the domestic violence cases are in the full investigation step, then the settlement mechanism are as follows: a) the case will still process and delegated to attorney. But if the victim withdraws its report, then there should be a written letter of reconcile to the head of investigator. The letter is made by the victim, perpetrator, the victim's family, or other parties which related on the settlement of the domestic violence case. b) the letter of reconcile which submitted by applicant need to attach a reconcile terms letter which made, which followed the material requirements, including (1) didn't create an unrest and/or objection from society; (2) has not social impact; (3) not a repeat perpetrator of a criminal act based on a court decision. While the formal material including: (1) a reconcile statement letter from all parties which involved both as reporter and/or family, reported and/or family, and representative from public figure, to not to mind and waive its right to sue in front of the law. (2) the evidence of fulfillment on the victim rights and obligation of the perpetrator. c) the police official will create an additional police investigation report towards the litigant parties after the case are settled using restorative justice. d) the police officer will create a recommendation on special title case which accept the reconcile through restorative justice. e) the statement letter which states that the perpetrator does not mind and done voluntarily without force from any parties regarding responsibility and compensation for the victim.

*Fourth*, the procedure which is done to end the investigation is based on the document, report, case title in order to issue a letter of termination and determination for legal reasons. Then if the supporting evidence is completed, then the letter of termination and determination of investigation will be sent to the public prosecutor. Since then, the cases of domestic violence will be terminated and closed.

### **The Obstacle on Submitting Application for Testing the Legality of the Investigation Process through Pre-trial Hearings**

According to the results of the study, it is revealed that the obstacle on the settlement of domestic violence cases in Jayapura seen from the side of the victim are: 1) The victim doesn't love their husband anymore and declined to be reconcile. The condition which experienced by the victim which does not trust their husband anymore because the husband have apologized several times. But on reality, the husband forgot their promises and back to do the violence. The husband is still consuming alcohol until drunk and done the violence again. 2) The victim is deliberately taught their husband a lesson so that their husband could detained by the police. The victim insists to not agreed with the reconciliation by their husband. This because the suffering which experienced by the victim was very heavy and create a long-term trauma. So that the victim was not yet forgive their husband and heartbreak. The victim still felt worried and scared if reconcile then they could experience a violence again in the future. 3) The victim is still loving their husband so they still trying to maintain their household, but the case has already on trial and the perpetrator have been declared guilty by the judges. This could cause the settlement of domestic violence cases by restorative justice cannot be done.

While the obstacle on the settlement of domestic violence cases in Jayapura if it seen from the side of the perpetrator such as: 1) the perpetrator was adamant in his refusal to apologize to his wife because the perpetrator sees that all of this happened because the victim fault which triggered the violence. 2) the perpetrator still holds feelings of revenge, hurt, the victim has an affair, as a result the perpetrator is still unwilling to reconcile. Therefore, the perpetrator is willing to accept the legal consequences even if he is punished.

Apart from the obstacle which arise from the victim and perpetrator, there's still other obstacle which faced, such as 1) there were no facilitator or mediator parties, both public figures, religious leaders, traditional figures (tribal chief), or police officer which made the case of domestic violence cannot be done through reconciliation (using restorative justice). This is because there were no parties willing to be mediators and could reconcile the cases neutrally and fairly. 2) The obstacle on compensation for losses or customary fines which submitted by the victim to the perpetrator is seen too high, so that the perpetrator cannot and is not willing to give a compensation as the victim ask for. This creates the process of bargaining which took a long time to reach agreement in terms of giving compensation. sometimes the perpetrator feels unable to pay the compensation which requested by the victim, so there is a need to consult with the perpetrator family to help providing the compensation requested by the victim.

### **Conclusion**

1. The settlement of domestic violence cases in Jayapura around 6 cases is settled through criminal court based on the victim report. As long as the victim does not withdraw its report, the legal process still runs until the trial. But, in fact there are 13 cases regarding the settlement of domestic violence cases which were done through reconciliation with restorative justice approach by discretion of the criminal investigation unit of Jayapura. the settlement of the case involving the victim (family), perpetrator (family), and other parties. The mediator or facilitator parties including traditional figures (tribal chief), religious leaders, public figure, and police officer. This is to achieve justice, legal certainty, and benefits for all parties.

2. The obstacle which faced on the settlement of domestic violence cases in Jayapura which occurs by the victim and perpetrators, both parties are agreed to choose the best solution for their sake of the future. Even if it has an impact on the perpetrator being punished, or a divorce occurred in their household, both have thought about the consequences of the solution they have chosen.

### **Recommendation**

1. It is recommended to the police officer, that the act of discretion on the settlement of domestic violence case through restorative justice must be more selective and always put forward the future of both parties which are victim and perpetrator.
2. It is recommended for society to be more open and braver enough to report to the police if being the victim of domestic violence, so that the rights of the victim could be protected and not caused a death.

### **References**

- Afdal, Putri Fakhрина Sari, Miftahul Fikri, Ifdil, dan Zadrian Ardi. 2019. *Why Victims of Domestic Violence Still Survive Their Marriage? Preliminary Analysis of Forgiveness Dynamics Conditions*. International Journal of Research in Counseling and Education Vol. 3 (2).
- Alfitri. 2020. *Protecting Women from Domestic Violence: Islam, Family Law, and the State in Indonesia*. Studia Islamika, Vol. 27 (2).
- Ali, Achmad. 1996. *Menguak Teori Hukum*, Yasrif, Jakarta.
- Arief, Hanafi. 2018. *Women and Domestic Violence: Legal Protection Perspective*, Pagaruyuang Law Journal. Vol. 2 (1).
- Daud, Erita Rosa Larasati. 2020. *Pekerja Rumah Tangga Sebagai Korban Kekerasan Dalam Rumah Tangga*. Jurist-Diction, Vol.3 (5).
- Ensiklopedia Dunia. 2021. *Daftar distrik, kelurahan, dan kampung di Kabupaten Jayapura*. Kontrolnews.co, 13 Desember.
- Fallahnda, Balqis. 2023. Tirto.id. *Daftar Kasus KDRT di Indonesia 2023 yang Bikin Istri Meninggal*. <https://tirto.id/arti-kdrt-daftar-kasus-kdrt-2023-yang-sebabkan-istri-meninggal-gP34>. Accessed on 14 September 2023.
- Idrus, Nurul Ilmi. 1999. *Marital Rape (Kekerasan Seksual dalam Perkawinan)*. UGM, Yogyakarta. Kerja Sama Ford Foundation dengan Pusat Penelitian Kependudukan UGM.
- Lasmadi, Sahuri, Umar Hasan, dan Elly Sudarti. 2019. *Tindakan Diskresi Oleh Penyidik Dalam Penyelesaian Tindak Pidana Kekerasan Dalam Rumah Tangga di Polres Tanjung Jabung Barat*, Jurnal Sains Sosio Humaniora, LPPM Universitas Jambi, Vol. 3 (2).
- Mahfud dan Rizanizarli. 2021. *Domestic Violence against Women in Indonesia: The Recent Domestic Violence Elimination Law Analysis*. Fiat Justisia, Vol. 15 (4).
- Mas'udah, Siti, Lutfi Apreliana Megasari, dan Muhammad Saud. 2021. *Women's resistance to domestic violence during COVID-19 pandemic: A study from Indonesia. (Perlawanan perempuan terhadap kekerasan dalam rumah tangga selama pandemi COVID-19: Sebuah studi dari Indonesia)*. Jurnal Sosiologi Dialektika, Vol.16 No.2.



- Muhadar, Edi Abdullah, dan Husni Thamrin. 2009. *Perlindungan Saksi dan Korban Dalam Sistem Peradilan Pidana*, Surabaya: CV. Putra Media Nusantara.
- Muhamad, Nabilah. 2023. *Barisan Provinsi dengan Kasus Kekerasan Tertinggi di Indonesia hingga Juni 2023*. Katadata.co.id, <https://databoks.katadata.co.id/datapublish/2023/06/20/barisan-provinsi-dengan-kasus-kekerasan-tertinggi-di-indonesia-hingga-juni-2023>.
- Yosep, Iyus, Rohman Hikmat, dan Ai Mardhiyah. 2020. *The impact of domestic violence on cognitive and psychological development of children: A scoping review*. Jurnal Keperawatan Padjadjaran (JKP), Vol.10 (3).
- Kelen, Theo. 2022. *Kasus kekerasan terhadap perempuan dan anak di Papua terus terjadi*. Jubi.co.id. <https://jubi.id/tanah-papua/2022/kasus-kekerasan-terhadap-perempuan-dan-anak-di-papua-terus-terjadi/>.
- Komisi Nasional Anti Kekerasan Terhadap Perempuan. 2023. *Lembar Fakta Catatan Tahunan Komnas Perempuan Tahun 2023 Kekerasan terhadap Perempuan di Ranah Publik dan Negara: Minimnya Pelindungan dan Pemulihan*. Jakarta, 7 Maret.
- Priyadi. 2023. *Kasus KDRT di Kab. Jayapura Tertinggi Akibat Miras*. Cenderawasihpos.jawapos.com. <https://cenderawasihpos.jawapos.com/lintaspapua/sentani/22/08/2023/kasus-kdrt-di-kab-jayapura-tertinggi-akibat-miras/>.
- Redaksi. 2023. *Tahun 2022 Kasus Kekerasan dan Pelecehan Seksual terhadap Anak Meningkat*. SuaraMandiri.co, <https://suaramandiri.co/tahun-2022-kasus-kekerasan-dan-pelecehan-seksual-terhadap-anak-meningkat/>.
- Saptono, Ade. 2009. *Pokok-pokok metodologi Penelitian Hukum Empiris Murni Sebuah Alternatif*, Jakarta: Penerbit Universitas Tri sakti.
- Saraswati, Rika. 2006. *Perempuan dan Penyelesaian Kekerasan dalam Rumah Tangga*, Bandung: PT Citra Aditya Bakti.
- Senandi, Winna Amalia A. dan Thresia Hilda M.Y. Krey. 2022. *Penegakan Hukum Terhadap Pelaku Tindak Pidana Kekerasan Dalam Rumah Tangga Dalam Sistem Peradilan Pidana*. Prociding Seminar Hasil Penelitian Pengembangan Ipteks dan Sains Edisi Kedelapan,.
- Simfoni PPA. 2023. *Peta Sebaran Jumlah Kasus Kekerasan Menurut Provinsi, Tahun 2023*. Simfoni-PPA.
- Sinombor, Sonya Hellen. 2023. *19 Tahun Punya UU, KDRT Tetap Saja Marak: Kekerasan dalam rumah tangga atau KDRT hingga kini menjadi momok bagi para perempuan. Meski berdampak besar, bahkan menyebabkan kematian, penegakan hukum kasus KDRT masih terkendala*. Kompas.id, <https://www.kompas.id/baca/humaniora/2023/09/20/kdrt-tetap-saja-marak-walau-sudah-19-tahun-punya-uu>.
- Subhan, Zaitunah. 2006. *Kekerasan terhadap perempuan*. Yogyakarta: Pustaka Pesantren
- Syahrin, Alvi, Fatwa Imelda, dan D.K. Dewi. 2021. *The Psychological Impact of Domestic Violence in Medan*. Indonesian Journal of Nursing Science (IJNS) Vol. 3 No. 1.
- TopbNews. 2023. *2022, 30 Kasus Kekerasan Menimpa Perempuan di Kota Jayapura*. Topbnews, <https://topbnews.com/2022-30-kasus-kekerasan-menimpa-perempuan-di-kota-jayapura/>.
- Walby S. 1990. *Theorizing Patriarchy*. Oxford: Basil Blackwell Ltd.

- Weking, Fransiskus Salu. 2023. *Papua Barat edukasi masyarakat adat cegah kekerasan perempuan dan anak*. Antaranews.com, <https://papuabarat.antaranews.com/berita/33558/papua-barat-edukasi-masyarakat-adat-cegah-kekerasan-perempuan-dan-anak#:~:text=Sementara%20itu%2C%20Kepala%20Kepolisian%20Daerah,2023%20menangani%20186%20kasus%20KDRT>.
- Wicaksono, Sonny Saptoajie, Gabrielle Poetri Soebiakto, dan Ridwan Arifin. 2021. *Legal Aid for the Victims of Domestic Violence: Problems and Challenges*. Indonesian J. Int'l Clinical Leg. Educ. Vol 3 No 2: June.
- Wiludjeng, Henny. 2005. *Dampak Pembakuan Peran Gender terhadap Perempuan Kelas Bawah di Jakarta*. Yogyakarta: LBH APIK.

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