

PROFILE OF SEXUAL VIOLENCE CASE AGAINST WOMEN EXAMINED AT GENERAL HOSPITAL LANGSA IN 2019-2020

Eben Ezer Debora A M Purba^a, Doaris I Marbun^b, Netty Herawati^c, Adriansyah Lubis^d, Panusunan Simatupang^e

^adeborapurbamail@gmail.com

^aDepartment of Forensic and Medicolegal Faculty of Medicine, University of North Sumatra, Medan, Indonesia

^bRSUP H Adam Malik- Medan 20136, Indonesia

Abstract

Background: Sexual violence against women is any attack of a sexual nature against women, whether sexual intercourse has occurred or not, and regardless of the relationship between the perpetrator and the victim. The types of sexual violence that can occur are sexual violence and sexual harassment. Statistically, the number of cases of sexual violence continues to increase in the world and in Indonesia.

Method: This research is a cross sectional study with total sampling method. Data collection was carried out using secondary data, namely all data on women who were examined at the Forensic and Medicolegal Installation of Langsa Hospital on Victims who experienced Sexual Violence in 2019 - 2020 and the data listed variables that matched the variables to be studied based on age, occupation, status marriage, the relationship of the victim with the perpetrator and the type of sexual violence.

Conclusion: The results showed that there were 35 cases of sexual violence against women examined at Langsa Hospital in 2019 to 2020. This number of cases increased from 2019 as many as 13 victims to 22 victims in 2020. The number of cases of sexual violence against women by age, the highest were in the adolescent age group 12-16 years as many as 20 victims with a percentage of 57.14%. The lowest number of cases was in the age group > 36 years (late adult age, early elderly, late elderly and elderly age group) as many as 0 victims, who experienced cases of sexual violence based on work, the highest was students with 31 victims, with a percentage of 88.57 % while the lowest number of cases was not working as many as 4 victims with a percentage of 11.43%. The number of women who experienced cases of sexual violence based on marital status, as many as 35 victims, namely with unmarried marital status, with a percentage of 100%. The number of women who experienced cases of sexual violence based on the relationship between the victim and the perpetrator, the highest as many as 34 victims were people who were known to the victim with a percentage of 97.14%, and the lowest as many as 1 victim was a person who was not known to the victim with a percentage of 2.86%. cases of sexual violence based on the type of sexual violence, the highest was in cases of sexual harassment as many as 22 victims with a percentage of 62.86% and the lowest was in cases of rape as many as 3 victims with a percentage of 8.57%.

Keywords: sexual violence; sexual harassment; General Hospital Langsa

1. INTRODUCTION

1.1 Background

Violence is defined as an attack or invasion (assault) against a person's physical or mental integrity.³ Forms of violence against women include physical, sexual, economic, political and psychological violence that can be carried out by individuals, communities, or the state.²

Violence against women has an important characteristic that the action can be in the form of physical, sexual, or non-physical (psychological) actions, can be carried out actively or passively (not act), is desired or intended by the perpetrator, and has consequences that harm the victim (physical, sexual, or psychological)

which is not desired by the victim.² Statistically, the number of rape cases in the world is quite high. This can be seen from data in the United States which reports that 75,000 cases of rape occur each year, ninety percent of which are experienced by women who have the same race as the perpetrators where 76% are people who are known to the victim and are even family members of the victim.^{2,4}

In a multi-country WHO study, after the age of 15, 0.3-12% of women reported having been coerced into sexual intercourse or had sexual intercourse by someone other than an intimate partner. The lifetime prevalence of reported sexual partner violence by women, aged 15 to 49 years, in a WHO multi-country study ranged from 6% in Japan to 59% in Ethiopia, with rates in most settings falling between 10% and 50%. A comparative analysis of surveys from Latin America and the Caribbean found that rates of sexual partner violence ranged from 5 to 15%.¹⁴

Based on the Annual Records (CATAHU) of the National Commission on Violence Against Women (Komnas Perempuan) recorded cases of violence against women received by various community institutions and government institutions spread across almost all provinces in Indonesia, in the past two years, in 2019 shows reports of violence in the private/personal realm received by service partners, there is an increasing and quite large number of dating violence, namely 2,073 cases. Meanwhile, violence against wives still ranks first at 5,114 cases, and then violence against girls is the third highest number after dating violence, namely 1,417 cases and the highest percentage is physical violence 41% (3,951 cases), followed by sexual violence 31% (2,988 cases), psychological violence 17% (1,638 cases) and economic violence 11% (1,060 cases). The same is true for sexual violence in the private/personal sphere this year, incest (perpetrators of the closest people who still have family relationships) is the most reported case with 1,071 cases, the second is rape with 818 cases, then sexual abuse with 321 cases. CATAHU also found that the highest perpetrators of sexual violence in the private/personal sphere were girlfriends as many as 1,670 people, followed by biological fathers as many as 365 people, then in third place was uncles with 306 people. The number of perpetrators of biological fathers and uncles is in line with the increase in incest cases.¹⁰

2. SEXUAL VIOLENCE AGAINST WOMEN

Sexual violence against women is any attack of a sexual nature against women, whether sexual intercourse has occurred or not, and regardless of the relationship between the perpetrator and the victim. Types of sexual violence that can occur are sexual violence and sexual harassment.¹ Sexual violence also varies greatly in the form of attempted rape, rape, sadism in sexual relations, coercion of other sexual activities that are not liked, demeaning, hurt or injure the victim.¹

Violence against women has an important characteristic that the action can be in the form of physical, sexual, or non-physical (psychological) actions, can be carried out actively or passively (not act), is desired or intended by the perpetrator, and has consequences that harm the victim (physical, sexual, or psychological) which is not desired by the victim.² Sexual intercourse is an event in which the male genitalia enters the female genitalia, partially or completely, with or without the emission of semen.¹⁵

Legal intercourse (not breaking the law) is carried out with the following principles:

(1) The woman is the legal wife (according to Law NO. 1 of 1974 concerning marriage) and has the consent of the woman who has intercourse. (2) The woman is of sufficient age, is of sound mind, is not married to another man and is not a member of a close family.²⁴

Rape is an act of sexual intercourse (intercourse) that violates the law by forcing or deceiving and without consent. This definition can be expanded by “various openings” with the aim of encompassing forced penetration of the mouth or anus. Rape victims are traumatized by sexual crimes and violence.¹⁶ Obscenity is any act committed to obtain sexual pleasure and at the same time disturb the honor of decency. According to the Big Indonesian Dictionary, it means vile and dirty, indecent (Violating decency, decency).²⁴ It covers many different things, from touching the victim sexually, forcing the victim to touch the perpetrator sexually, to forcing the victim to see sexual organs or sexual activities.²³ Statistically, the number of rape cases in the world is quite high. This can be seen from data in the United States which reports that 75,000 cases of rape occur each year, ninety percent of which are experienced by women who have the same race as the perpetrators where 76% are people who are known to the victim and are even family members of the victim. Research conducted by Butar Butar (2012) concluded that there were 120 cases of sexual violence examined at Bhayangkara Hospital Pekanbaru during 2011. Research conducted by Mohammad Tegar Indrayana at Bhayangkara Dumai Hospital conducted in (2016) concluded that there were 120 cases sexual violence.

Based on the Annual Records (CATAHU), the National Commission on Violence Against Women (Komnas Perempuan) in 2019-2020 experienced an increase in cases of sexual violence. Likewise, the number of cases of cyber gender-based violence (online/online space) or abbreviated as KBGS that are reported to increase.

2.1 Legal Basis¹⁷

1. KUHP Article 285

Any person who by force or threat of violence forces a woman to have sex with him outside of marriage, is threatened with rape with a maximum imprisonment of twelve years.

2. KUHP Article 286

Whoever has intercourse with a woman outside of marriage, even though it is known that the woman is unconscious or helpless, is threatened with a maximum imprisonment of nine years.

3. KUHP Article 287

1. Anyone who has sexual intercourse with a woman outside of marriage, even though she knows or should reasonably suspect that she is not yet fifteen years old or if her age is not clear, that it is not yet time for marriage, shall be punished by a maximum imprisonment of nine years.

2. Prosecution is only carried out on complaints, except if the age of the woman is not yet twelve years old or if there is one of the things based on articles 291 and 294.

4. Marriage Law No. 16 of 2019 article 7²⁵

5. Law of the Republic of Indonesia number 16 of 2019 concerning amendments to law number 1 of 1974 concerning marriage, the provisions of Article 7 paragraph 1 are amended so that it reads as follows:

1. Marriage is only permitted if a man and a woman have reached the age of 19 (nineteen) years.

2. In the event that there is a deviation from the age provisions as referred to in paragraph (1), the parents of the male and/or female parents may request a dispensation from the Court on the grounds that it is very urgent, accompanied by sufficient supporting evidence.
3. The granting of dispensation by the Court as referred to in paragraph (2) is obliged to listen to the opinions of the two prospective brides who will carry out the marriage.
4. The provisions regarding the condition of one or both parents of the prospective bride and groom as referred to in Article 6 paragraph (3) and paragraph (4) shall also apply to the provisions regarding the request for dispensation as referred to in paragraph (2) without prejudice to the provisions as referred to in Article 6 paragraph (6).

2.2 Age Category According to the Indonesian Ministry of Health 2009²⁰

1) Infancy	: 0-5 years old
2) Childhood	: 5-11 years old
3) Early adolescence	: 12-16 years old
4) Late adolescence	: 17-25 years old
5) Early adulthood	: 26-35 years old
6) Late adulthood	: 36-45 years old
7) Early old age	: 46-55 years old
8) Late old age	: 56-65 years old
9) Old age	: > 65 years old

3. RESEARCH METHOD

This study is a descriptive study with a cross sectional approach that aims to determine the Profile of Sexual Violence Against Women Examined at Langsa Hospital in 2019-2020 where each sample was only observed once at a time. This research was conducted from August 2021 to October 2021. The population in this study was all data examined at the Forensic and Medicolegal Installation of Langsa Hospital in 2019 to 2020. The sample in this study was taken by the total sampling method. Data collection was carried out using secondary data, namely all data on women who were examined at the Forensic and Medicolegal Installation of Langsa Hospital in Cases of Sexual Violence Against Women in 2019 to 2020 and the data listed the variables to be studied based on age, occupation, marital status, the relationship of the victim with the perpetrator and the type of sexual violence. The data obtained by the researcher will then be processed using descriptive statistics and reported in the table. This research was conducted with the approval of the Ethics Committee of the Faculty of Medicine, University of North Sumatra Medan NO: 1095/KEP/USU/2021

3. RESULT

Based on research on October 8 – October 15, 2021 conducted at Langsa Hospital, the total number of cases of sexual violence against women in 2019 – 2020 was 35 victims.

Total Number of Sexual Violence Cases Against Women Examined at Langsa Hospital in 2019-2020

Table 1. The total number of cases of sexual violence against women examined at Langsa Hospital in 2019-2020.

Year	Total	
	Total	Percentage
2019	13	37,14 %
2020	22	62,86%
Total	35	100%

Based on the results of this study conducted on Medical Records at the Forensic Installation of Langsa Hospital, Langsa City, on October 8, 2021 to October 13, 2021, the total number of cases of sexual violence against women was 35 victims.

Judging from the overall data, the number of cases of sexual violence against women examined at Langsa Hospital, Langsa city, the number of cases of sexual violence against women experienced an increase in cases in 2019 as many as 13 victims (37.14%) increased to 22 victims (62.86%) in 2020.

Number of Cases of Sexual Violence Against Women Examined at Langsa Hospital in 2019-2020 by age

Table 2 Number of Cases of Sexual Violence Against Women examined at Langsa Hospital in 2019-2020 by age.

Age	Total	Percentage
0-5 years old	2	5,71%
6-11 years old	6	17,14%
12-16 years old	20	57,15%
17-25 years old	6	17,14%
26-35 years old	1	2,86%
36-45 years old	0	0%
46-55 years old	0	0%
56- 65 years old	0	0%
> 65 years old	0	0%
Total	35	100%

Based on the results of this study conducted on Medical Records at the Forensic Installation of Langsa Hospital, Langsa City on October 08, 2021 until October 13, 2021, the number of cases of sexual violence against women examined at Langsa Hospital, Langsa City by Age, was highest in the late adolescent age group. 12-16 years as many as 20 victims (57.14%) and the lowest at the age of >36 years, starting from late adulthood to the elderly as many as 0 victims.

Number of Cases of Sexual Violence Against Women Examined at Langsa Hospital in 2019-2020 based on occupation

Table 3 Number of Cases of Sexual Violence Against Women examined at Langsa Hospital in 2019-2020 Based on Occupation.

Job	Total	
	Total	Percentage
Student	31	88,57%
Does not work	4	11,43%
Civil servant	0	0%
Private employees	0	0%
Entrepreneur	0	0%
Total	35	100%

Based on the results of this study conducted on Medical Records at the Forensic Installation of Langsa Hospital, Langsa City on October 8, 2021 until October 13, 2021, based on work, the highest number of victims of sexual violence against women was found in students as many as 31 victims (88.57%) and the lowest did not work as many as 4 victims (11.43).

Number of Cases of Sexual Violence Against Women Examined at Langsa Hospital in 2019-2020 based on marital status

Table 4 Number of Cases of Sexual Violence Against Women examined at Langsa Hospital in 2019-2020 Based on Marital Status

Marital Status	Total	
	Total	Percentage
Marry	0	0%
Not married	35	100%
Total	35	100%

Based on the results of this study conducted on Medical Records at the Forensic Installation of Langsa Hospital, Langsa City on October 8, 2021 until October 13, 2021, based on marital status, it was found that the number of victims of sexual violence against women were all victims with unmarried marriage status, namely 35 victims. (100%).

Number of Sexual Violence Cases Against Women Examined at Langsa Hospital in 2019-2020 based on Victim's Relationship with Perpetrator

Table 5 Number of Cases of Sexual Violence Against Women examined at Langsa Hospital in 2019-2020 Based on Victim's Relationship with Perpetrator.

Relationship between victim and perpetrator	Total	
	Total	Percentage
People Known	34	97,14%
Unknown	1	2,86%
Total	35	100%

Based on the results of this study conducted on Medical Records at the Forensic Installation of Langsa Hospital, Langsa City on October 08, 2021 to October 13, 2021, based on the relationship between victims and perpetrators, the number of victims of sexual violence against women was found, the highest was 34 victims (97.14%)) is a person known to the victim, and the lowest in 1 case (2.86%) is a person who is not known to the victim

Number of Cases of Sexual Violence Against Women Examined at Langsa Hospital in 2019-2020 by Type of Sexual Violence

Table 6 Number of Cases of Sexual Violence Against Women examined at Langsa Hospital in 2019-2020 by Type of Sexual Violence

Types of sexual violence	Total	
	Total	Percentage
Rape	3	8,57%
Obscenity	10	28,57%
Sexual harassment	22	62,86%
Total	35	100%

Based on the results of this study conducted on Medical Records at the Forensic Installation of Langsa Hospital, Langsa City on October 8, 2021 to October 13, 2021, based on the type of sexual violence, the number of cases of sexual violence, the type of sexual harassment, was the highest, namely 22 victims (62, 86%), followed by the type of sexual violence, sexual harassment with 10 victims (28.57%), and the lowest type of sexual violence, namely rape with 3 victims (8.57%).

3. CONCLUSION

1. Based on the results of this study conducted on Medical Records at the Forensic Installation of Langsa Hospital, Langsa City on October 8, 2021 until October 13, 2021, it can be concluded:
2. The number of cases of sexual violence against women examined at Langsa Hospital in 2019 to 2020 was 35 victims.
3. The number of cases of sexual violence against women examined at the Langsa Hospital increased from 2019 as many as 13 victims to 22 victims in 2020.
4. The number of cases of sexual violence against women based on age, the highest was in the young age group of 2-16 years old with 20 victims with a percentage of 57.14%. The lowest number of cases was in the age group > 36 years (late adult age, early elderly, late elderly and elderly age group) with 0 victims.
5. The number of women who experienced cases of sexual violence based on work, the highest was students with 31 victims, with a percentage of 88.57% while the lowest number of cases was not working as many as 4 victims with a percentage of 11.43%.
6. The number of women who experienced cases of sexual violence based on marital status, as many as 35 victims, namely with unmarried marital status, with a percentage of 100%.
7. The number of women who experienced cases of sexual violence based on the relationship between the victim and the perpetrator, the highest as many as 34 victims were people who were known to the victim with a percentage of 97.14%, and the lowest as many as 1 victim was a person who was not known to the victim with a percentage of 2.85%.
8. The number of women who experienced cases of sexual violence based on the type of sexual violence, the highest was in cases of sexual harassment as many as 22 victims with a percentage of 62.86% and the lowest in cases of rape as many as 3 victims with a percentage of 8.57%.

References

- Iskandar Albin, Zubi: Karakteristik Kasus Kekerasan Seksual Pada Perempuan Di Blud Rumah Sakit Cut Meutia Berdasarkan Visum Et Repertum Periode Tahun 2018, *Jurnal Averrous* Volume 6 No.1 Mei 2020 p.66-77
- Mohammad Tegar Indrayana: Profil Kasus Kekerasan Seksual Terhadap Perempuan Dan Anak Yang Diperiksa Di Rumah Sakit Bhayangkara Dumai (2009-2013), *Jurnal Kesehatan Melayu* ISSN 2597-7407
- Dahlan Sofwan. Ilmu Kedokteran Kehakiman. Semarang. 2000. p. 126- 133.
- Kuhper, Kuhp, Kuhap. Jakarta. 2008
- Idris AM, Tjiptomartono Agung Legowo. Penerapan Ilmu Kedokteran Forensik Dalam Proses Penyidikan. Edisi Revisi. Jakarta. 2008.p. 113- 132.
- Budianto A. Widiatmika W. Sudiono S. Winardi T. Ilmu Kedokteran Forensik. Fk-Ui. Jakarta. 1997. p.: 147- 158.
- Chada. Alih Bahasa Hutaaruk Johan. Ilmu Forensik Dan Toksikologi. Edisi V. 1995.p.150- 157.
- Hamdani Njowito. Ilmu Kedokteran Kehakiman. Edisi Kedua. Jakarta.1972. p.174- 179.
- Taber Ben- Zion. Kapita Selekta Kedaruratan Obstetri Dan Ginekologi. Egc. Jakarta.p.394- 400.
- Komisi Nasional Anti Kekerasan Terhadap Perempuan: Kekerasan Meningkat: Kebijakan Penghapusan Kekerasan Seksual Untuk Membangun Ruang Aman Bagi Perempuan Dan Anak Perempuan. Jakarta. 2020
- Komisi Nasional Anti Kekerasan Terhadap Perempuan; Catatan Tahunan Kekerasan Terhadap Perempuan Perempuan Dalam Himpitan Pandemi: Lonjakan Kekerasan Seksual, Kekerasan Siber, Perkawinan Anak. Jakarta. 2021
- Mella Fitriyatul Hilmi: Kekerasan Seksual Dalam Hukum Internasional. *Jurist Diction*; p. 2655-8297
- Verienja J. B. Rehatta; Kekerasan Seksual Terhadap Perempuan di Daerah Konflik (Kajian Hukum Internasional Dan Penerapannya Di Indonesia): *Jurnal Sasi* Vol.20 No.2 Bulan Juli- Desember; p.66-77

http://www.who.int/about/licensing/copyright_form/en/index.html).

http://repository.umpalembang.ac.id/id/eprint/4130/2/502015049_BAB%20II_SAMPAI_BAB%20TERAKHIR.pdf

<http://mappifhui.org/wp-content/uploads/2016/12/Reformasi-Pengaturan-Tindak-Pidana-Perkosaan.pdf>

<https://www.hukumonline.com/pusatdata/detail/lt4c7b7fd88a8c3/wetboek-van-strafrecht-wvs/document>

<https://ejournal.unsrat.ac.id/index.php/eclinic/article/download/4861/4387>

<https://media.neliti.com/media/publications/12542-ID-visum-et-repertum-pada-tahap-penyidikan-dalam-mengungkap-tindak-pidana-pemerkosaa.pdf>

<https://pusdatin.kemkes.go.id/resources/download/pusdatin/profil-kesehatan-indonesia/profil-kesehatan-indonesia-2009.pdf>

<https://rsud.langsakota.go.id/sejarah-singkat-rumah-sakit/>

<https://ejournal.unsrat.ac.id/index.php/lexetsocietatis/article/view/1748/1389>

<https://theconversation.com/apa-bedanya-pencabulan-serangan-seksual-pelecehan-seksual-dan-pemerkosaaan-130063>

Hoediyanto, A. Hariadi. Penerapan Ilmu Kedokteran Forensik Dan Medikolegal. Edisi Kedelapan. Surabaya. 2012.p: 271- 290

<https://www.hukumonline.com/pusatdata/detail/lt5dafedf4cd014/undang-undang-nomor-16-tahun-2019>