


The Role of Law Enforcement Investigators in Addressing Sexual Violence under the Sexual Violence Crime Law (UU TPKS): A Case Study of Gerung Police Department, West Lombok

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ARTICLE INFO	ABSTRACT
<p>Article history Received: April 06, 2025 Revised: April 10 2025 Accepted: May 17, 2025 Published: May 24, 2025</p> <p>Keywords Investigator Sexual Violence UU TPKS Law Enforcement Gerung Police Department</p> <p> License by CC-BY-SA Copyright © 2025, The Author(s).</p>	<p>Law enforcement against sexual violence is a crucial aspect of state responsibility in protecting human rights, particularly the rights of victims. Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS) provides a more comprehensive legal framework for law enforcement officers, especially investigators, in handling sexual violence cases. This study aims to analyze the role of investigators in the enforcement of sexual violence laws within the jurisdiction of the Gerung Police Department, West Lombok. The research employs an empirical juridical approach with data collected through interviews, observations, and document studies. The findings reveal that investigators play a central role in the criminal investigation process, including receiving reports, gathering evidence, examining witnesses and victims, and submitting case files to the prosecutor's office. However, in practice, investigators face several challenges such as limited resources, lack of psychological support for victims, and prevailing socio-cultural pressures that often stigmatize victims. The UU TPKS serves as an essential guideline to strengthen the role of investigators, particularly in implementing a victim-centered approach that emphasizes the protection and restoration of victims' rights. Continuous training for investigators and cross-sectoral collaboration are needed to ensure the effective implementation of the UU TPKS at the regional level.</p>

How to cite: Islam, R., Kusuma, A. & Fikri, A. (2025). The Role of Law Enforcement Investigators in Addressing Sexual Violence under the Sexual Violence Crime Law (UU TPKS): A Case Study of Gerung Police Department, West Lombok. *Justicia Insight*, 1(2), 39-43. <https://doi.org/10.70716/justin.v1i2.158>

INTRODUCTION

Sexual violence constitutes a criminal act that not only inflicts physical and psychological harm on its victims but also undermines the moral and social order of society. Within Indonesia's legal and social context, sexual violence is frequently perceived as a taboo subject, resulting in significant underreporting and incomplete case resolution (Savitri, 2021). Victims are often reluctant to report incidents due to fear, shame, familial pressure, or distrust in law enforcement authorities. Consequently, many perpetrators evade legal consequences while victims are deprived of justice.

Legal provisions addressing sexual violence in Indonesia were previously dispersed across various regulations, including the Indonesian Penal Code (KUHP), the Child Protection Law, and the Law on the Elimination of Domestic Violence (PKDRT). Unfortunately, these fragmented regulations failed to comprehensively address the legal protection and psychological recovery needs of victims. This regulatory gap necessitated the formulation of a specialized law adopting a victim-centered approach. The enactment of Law Number 12 of 2022 on Sexual Violence Crimes (UU TPKS) marked a turning point in the legal protection framework for victims of sexual violence in Indonesia (Utami, 2022).

The UU TPKS addresses previous legal shortcomings by offering a more extensive categorization of sexual violence, clearly outlining victims' rights, handling mechanisms, and the responsibilities of the state and law enforcement officials to ensure justice and victim recovery (Kusuma & Rachman, 2023). Accordingly,

this law provides a robust and comprehensive legal foundation for law enforcement officers, particularly investigators, to handle cases of sexual violence effectively.

Investigators play a pivotal role in law enforcement as they are at the forefront of the investigative and prosecutorial process. Their success in uncovering legal facts and establishing the elements of criminal offenses significantly influences the trajectory of judicial proceedings. Under the UU TPKS framework, investigators are also mandated to consider victims' psychological conditions, ensure confidentiality, and collaborate with legal counselors, psychologists, and child and women protection agencies (Nurani, 2023).

Nonetheless, the implementation of the UU TPKS at the regional level remains suboptimal. Investigators often encounter challenges such as insufficient specialized training on sexual violence cases, inadequate victim-friendly facilities, and the absence of an integrated reporting system involving relevant institutions. Another critical factor is the prevailing patriarchal culture, which frequently blames victims and justifies the actions of perpetrators (Amalia & Lestari, 2022).

A study conducted at the Gerung Police Resort (Polres Gerung) in West Lombok Regency revealed that despite increased awareness among law enforcement personnel regarding the importance of the UU TPKS, several technical and institutional barriers persist. These include limited human resources with a full understanding of victim-centered approaches and weak interagency coordination in supporting victims of sexual violence. Investigators also face dilemmas when handling cases involving community leaders or relatives of public officials, as such circumstances may invite social or political pressure (Hidayat, 2023).

These constraints highlight the urgent need to enhance investigators' capacity through continuous training and the development of standard operating procedures (SOPs) that align with victim-centered principles. Knowledge of trauma-informed approaches and gender-sensitive communication must be embedded in investigator training curricula to ensure that law enforcement is carried out both professionally and empathetically. The UU TPKS mandates a holistic approach to case handling, whereby investigators function not only as enforcers of the law but also as protectors of victims' rights (Indrawati & Mahardika, 2022).

This research aims to analyze the extent of investigators' roles in enforcing the law on sexual violence at Polres Gerung within the legal framework of the UU TPKS. It also seeks to identify the practical challenges faced by investigators and propose strategies to overcome these obstacles. The findings of this study are expected to provide valuable insights for enhancing the police institution's capacity to manage sexual violence cases effectively at the local level.

This study employs an empirical juridical approach by integrating normative analysis of the UU TPKS provisions with field observations of investigative practices. Data were collected through interviews with investigators at Polres Gerung, case file analysis, and a review of relevant legal and criminological literature. This approach enables the researcher to assess the degree to which legal provisions are implemented in the actual law enforcement process.

Preliminary findings indicate that investigators at Polres Gerung have made efforts to apply the provisions of the UU TPKS; however, these efforts are still constrained by structural and cultural factors. While some investigators have received training on handling victims of sexual violence, such training remains sporadic and uneven. Moreover, not all police units are equipped with dedicated interview rooms or integrated digital reporting systems (Ramadhan, 2023).

Institutional commitment from police leadership and support from local government are essential to develop infrastructure and systems that are responsive to victims' needs. This includes budget allocations for investigator training, the provision of support personnel, and the formulation of SOPs aligned with the UU TPKS. Collaboration with non-governmental organizations, psychologists, and legal aid providers should also be strengthened to build a gender-just legal ecosystem (Lestari & Hapsari, 2023).

By examining the strategic role of investigators and the field-level challenges they face, this study seeks to contribute to the strengthening of legal enforcement policies against sexual violence crimes. Additionally, the findings can serve as a foundation for structural reform within law enforcement institutions and promote consistent and widespread implementation of the UU TPKS across Indonesia.

RESEARCH METHOD

This study adopts an empirical juridical approach, which integrates the analysis of statutory regulations with the practical realities observed in the enforcement of law on the ground. The empirical juridical

approach is particularly relevant for examining the effectiveness of investigators' roles in handling criminal acts of sexual violence under Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS). This approach underscores the importance of the interrelation between legal norms and the behavior of law enforcement officers in carrying out their duties (Soekanto, 2014).

This research is descriptive-analytical in nature, aiming to provide a systematic portrayal of the implementation of investigators' tasks in cases of sexual violence within the jurisdiction of the Gerung Police Department, West Lombok. The collected data are analyzed to assess the alignment between positive legal norms and the actual practices in the field, including the challenges faced by investigators and the solutions they adopt in resolving cases. Through this method, the researcher seeks to explore various social, cultural, and institutional factors that influence the effectiveness of the enforcement of the UU TPKS by the police.

The sources of data in this study comprise both primary and secondary data. Primary data were obtained through in-depth interviews with several investigators serving in the Women and Children Protection Unit (PPA) of the Gerung Police, as well as through direct observation of the investigation processes in sexual violence cases. Semi-structured interviews were employed to allow the researcher to explore the investigators' experiences and perspectives more deeply and flexibly. Meanwhile, secondary data were collected through literature review of statutory regulations, police documents, and relevant legal books and scholarly journals (Marzuki, 2017).

Data collection techniques included document study, interviews, and observation. Document study was conducted to examine regulations concerning sexual violence, especially the UU TPKS, Chief of Police Regulations, and other relevant legal instruments. Interviews were used to gain insight into the implementation of the UU TPKS from the investigators' perspectives, while observation served to directly observe how investigations were conducted, including interactions between investigators and victims. All collected data were analyzed qualitatively through the processes of data reduction, data display, and conclusion drawing (Miles, Huberman, & Saldaña, 2014).

This study focuses on a single case study site, namely the Gerung Police Department, as this area represents the typical challenges encountered in the implementation of national regulations on sexual violence at the regional level. The single-case study design enables an in-depth examination of the various factors affecting investigators' roles, including institutional dynamics, available resources, and law enforcement officers' perceptions of the UU TPKS. The study also pays careful attention to ethical considerations, particularly regarding the confidentiality of informants' identities and the sensitive nature of sexual violence issues.

By employing this method, the research is expected to make a practical contribution to the development of more victim-responsive legal enforcement policies. Additionally, the study's findings may serve as valuable input for the police institution and legislative bodies in evaluating and strengthening the implementation of the UU TPKS at the local level.

RESULTS AND DISCUSSION

Based on the field research findings, it was observed that the role of investigators in handling sexual violence crimes at the Gerung Police Department in West Lombok has demonstrated notable progress following the enactment of Law Number 12 of 2022 concerning Sexual Violence Crimes (hereinafter referred to as the TPKS Law). Investigators, particularly those assigned to the Women and Children Protection Unit (Unit PPA), have shown a solid understanding of the TPKS Law's substance, especially in matters related to victim protection and the importance of adopting a victim-centered perspective in criminal investigations. This development is reflected in efforts to position the victim as a legal subject whose rights must be safeguarded from the outset of legal proceedings.

In practice, investigators at the Gerung Police Station have implemented several procedures in accordance with the provisions of the TPKS Law. For example, investigators are required to provide psychological support for victims, facilitate medical examinations, and ensure that interrogations are conducted in a safe and comfortable private space. These practices reflect the application of restorative justice principles as mandated in Article 5 of the TPKS Law, which emphasizes victim recovery (Siregar, 2023). Nevertheless, constraints related to human resources and budget allocation continue to pose challenges in fully realizing these procedures.

Moreover, collaboration between investigators and other institutions such as the Office for Women's Empowerment and Child Protection (DP3A), the Witness and Victim Protection Agency (LPSK), and psychological service institutions remains sporadic and lacks a permanent coordination framework. This situation often results in inconsistent and unsustainable victim support and recovery processes. In fact, the TPKS Law emphasizes a multidisciplinary approach in handling sexual violence cases, which necessitates inter-agency synergy (Putri & Lubis, 2022).

Interviews with investigators revealed that one of the major challenges is the lack of technical training on victim-centered investigative procedures. While the TPKS Law provides a clear legal framework, there remains a gap in its technical implementation, particularly regarding gender-sensitive investigative training. This aligns with previous research by Hapsari (2023), which found that many law enforcement officers have not received adequate training to understand sexual violence as a complex human rights violation rather than a conventional criminal act.

Cultural and social factors within the local community also significantly influence the effectiveness of investigations. In the context of West Lombok, there is a tendency for victims or their families to refrain from reporting sexual violence due to shame, fear of social stigma, or pressure from the perpetrator—who is often a relative. This phenomenon complicates the investigation process, as victims may withdraw their complaints or refuse to provide further testimony (Ramadhan & Yuliana, 2022). Consequently, investigators are required to exercise heightened sensitivity and adopt specialized engagement strategies to help victims feel secure and confident in pursuing legal redress.

In several cases, investigators at the Gerung Police Station have also applied provisions related to the detention of suspects to prevent further intimidation of victims. This approach reflects an awareness that, in sexual violence cases, threats to the victim may arise from various sources, including the victim's social environment. However, investigators also encounter pressure from the community or the perpetrator's family, who often seek informal reconciliation, potentially undermining the objectives of legal enforcement and justice for victims (Suhartini, 2021).

Nonetheless, there are positive indications that the TPKS Law provides a strong legal basis for investigators to reject such informal interventions. Investigators now feel more institutionally supported, as the law grants them a clear mandate to pursue cases through to prosecution, even in the face of social pressure. Some successfully resolved cases indicate that with regulatory support, institutional commitment, and adequate training, investigators can actively ensure the fulfillment of victims' rights.

Additionally, observational data indicate that supporting infrastructure, such as designated service rooms for women and children, is already available, although still limited in terms of completeness and comfort. Improving the quality of these facilities is essential to ensure a more humane examination process, minimize further trauma, and demonstrate the institution's commitment to protecting victims of sexual violence (Utami & Nugroho, 2023).

Overall, the role of investigators in the enforcement of sexual violence crime laws at the Gerung Police Station indicates that the implementation of the TPKS Law is underway, albeit not without challenges. Legal frameworks, investigator capacity, cross-sectoral support, and community culture all play vital roles in the success of criminal investigations. Therefore, sustained efforts by the state—including training, budget allocation, and strengthening inter-agency coordination systems—are necessary to ensure that the TPKS Law can effectively provide maximum protection to victims.

CONCLUSION

Based on the findings of this study, it can be concluded that the role of investigators in enforcing the law against sexual violence crimes at the Gerung Police Department has demonstrated progressive development, particularly following the enactment of Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS). Investigators are not only performing their investigative functions in a normative manner but are also beginning to adopt a victim-centered approach as mandated by the law. This is evident in the efforts made by investigators to provide protection, assistance, and a safe space for victims throughout the legal process. However, this role still encounters several obstacles, including the limited availability of competent human resources, insufficient technical training, suboptimal inter-agency coordination, and the persistent influence of patriarchal culture within society.

Furthermore, despite the strong legal foundation that enables investigators to handle sexual violence cases professionally and with a victim-centered perspective, challenges such as social pressure, victim intimidation, and informal settlement preferences from perpetrators or their families continue to hinder law enforcement efforts. This indicates that the effectiveness of the UU TPKS is not solely dependent on the capacity of investigators but also requires systemic support through institutional strengthening, inter-agency synergy, and comprehensive public education. Therefore, it is imperative to enhance the capacity of investigators through continuous training, provision of adequate service facilities, and a firm commitment from all elements of law enforcement to ensure that victims' rights are protected and that substantive justice is achieved.

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