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Legal Protection for Women in Criminal Proceedings: A Socio-Legal Review

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Abstract

Women often become victims of crimes, especially sexual crimes and domestic violence, in legal proceedings, but the legal protection stipulated in laws and regulations is still considered inadequate and many women still experience discrimination and injustice. The purpose of this study is to analyze the legal protection of women victims in criminal justice proceedings in Indonesia from a socio-legal perspective in order to identify the socio-cultural-structural barriers that cause the weakness of such protection. This study uses an empirical legal research method with a sociological legal approach to analyze the application of regulations on protecting women victims in criminal proceedings, with primary data obtained from field studies and interviews which are then analyzed qualitatively. The results show that nomatively, regulations on protecting women victims are adequate, but in practice they are heavily influenced by patriarchal socio-cultural factors and negative stigma against women victims which affect the attitude of law enforcement officials, resulting in many victims experiencing discrimination and injustice. The socio-cultural-structural barriers include negative stigma and discriminatory treatment of victims, patriarchal culture that subordinates women, lack of psychosocial and legal support for victims, and limited access to justice for marginalized women victims. At the structural level there are also problems of low gender capacity of law enforcement officials, lack of NGO advocacy, and legal and judicial systems that are not yet victim-friendly.

I. Introduction

Women often become victims in criminal processes. Women frequently fall prey to crimes, particularly sexual crimes and domestic violence. Whether as witnesses, victims, or perpetrators, women are vulnerable to unfair and discriminatory treatment in the criminal justice system. According to data from the National Commission on Violence Against Women (Komnas Perempuan), in 2021, there were 431,471 reported cases of domestic violence, involving 406,178 victims. Ironically, many crimes against women go undisclosed due to the lack of reporting (Rodliyah et al., 2021). Adequate legal protection for women in the criminal process has become an important issue to ensure the fairness of gender-sensitive criminal proceedings.

The low level of reporting on crimes against women is caused by the lack of understanding in society regarding laws protecting women, psychological trauma experienced by victims, and the negative stigma attached to victims of sexual crimes in the community (Rukman et al., 2023). In the criminal justice process, women often find themselves vulnerable to unfair treatment and tendencies that are detrimental, especially in their roles as victims and witnesses (Brahmandya et al., 2013). For example, rape victims who are instead interrogated as if they were suspects and intimidated to withdraw their reports. This situation clearly contradicts Law No. 31 of 2014 regarding Amendments to Law No. 13 of 2006 concerning Witness and Victim Protection, which regulates the rights of victims that must be protected.

On the other hand, many law enforcement officials still hold gender-biased views when handling criminal cases involving female victims. This is reflected in numerous court decisions that impose lenient sentences on sexual offenders, citing reasons such as "the victim did not scream for help" or "the victim's clothing was revealing." However, Law No. 23 of 2004 concerning the Elimination of Domestic Violence explicitly prohibits all forms of violence against women. This situation indicates that the government's efforts to provide legal protection for women in criminal processes are considered inadequate and require improvement (Sulastri et al., 2019). From a socio-legal perspective, the issue needs to be comprehensively examined, taking into account social, cultural, and legal factors in an interdisciplinary manner. Thus, it is expected that legal protection efforts for women in the criminal process can be carried out effectively and precisely.

In undergoing the criminal process, women still face various obstacles. The necessity of legal protection for women in the criminal process is also based on the spirit contained in the constitution and international regulations ratified by Indonesia. Additionally, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), ratified by the Indonesian government through Law No. 7 of 1984, also obligates participating countries to take measures to eliminate discrimination against women in the judicial process (Nurdin & Athahira, 2022).

Despite existing regulations, in practice, protection and justice for women are still far from expectations. Based on the findings of the National Commission on Violence Against Women (Komnas Perempuan) in 2017, at least seven classic problems often arise in handling criminal cases involving women victims of violence. These include: first, neglect or indifference; second, false testimony by the perpetrator; third, the reversal of the victim's position as the perpetrator; fourth, mediation as a resolution; fifth, discrimination; sixth, criminalization; and seventh, one-sided peace. These classic problems clearly indicate that law enforcement still places women in marginal and vulnerable positions, prone to discrimination and injustice, especially in criminal processes (Wadi, 2023).

All the above facts drive this research to examine the legal protection for women in the criminal process from a socio-legal perspective, which involves placing the law within its social context (Rahmi & Siregar, 2020). Socio-legal research aims to explain the cause and effect of various legal phenomena in the social context where the law operates (Nurhayati et al., 2023). In the context of this research, criminal law needs to be examined not only from a normative regulatory perspective but must also be placed within the cultural and social framework of Indonesia to be understood more deeply and comprehensively. The formul ation of the problem in this research is as follows:

1) How is the legal protection for female victims in the criminal justice process in Indonesia viewed from a socio-legal perspective?
2) What are the socio-cultural-structural barriers that cause the weakness of legal protection for female victims in the criminal justice process in Indonesia?

2. Research Method

The research method to be used in this study is the empirical legal research method. This method is chosen because the research aims to analyze the application of normative legal principles in its practical implementation in the field related to legal protection for women in criminal processes. The research is conducted directly at the research location to observe the implementation of regulations and to gather the necessary primary data. The approach used in this research is the sociology of law approach. This is because the research aims to examine the sociological aspects surrounding legal protection for women in criminal processes. Social and cultural aspects of society also influence law enforcement, making the sociology of law approach appropriate for further investigation.

The legal sources used consist of primary, secondary, and tertiary legal materials. Primary legal materials include legislation related to the protection of women victims and court decisions. Secondary legal materials include books, journals, and previous research results. Tertiary legal materials include legal dictionaries and encyclopedias. The data collection techniques to be used are field studies and interviews. Field studies are conducted at the research location to observe the implementation of regulations related to the protection of women victims. Meanwhile, interviews are conducted with women victims, lawyers, judges, and relevant stakeholders to delve into the practice of legal protection for women victims in criminal processes. The data analysis technique uses qualitative analysis. The primary data obtained will be analyzed to address the research questions using a legal sociology framework. The results of the data analysis are presented descriptively to illustrate the sociological dynamics in leg al protection for women victims in criminal processes.

3. Results and Discussion

The Legal Protection for Female Victims in the Criminal Justice Process in Indonesia: A Socio-Legal Perspective

Women victims of violence and criminal acts often face obstacles in accessing justice in Indonesia. One of the reasons is the legal system and society still influenced by a patriarchal culture that places women in subordinate positions. This results in discriminatory and unjust treatment experienced by women victims both before,

during, and after the legal process (Halizah & Faralita, 2023).

The legal protection for female crime victims in the criminal justice process in Indonesia faces significant challenges (Rahmi, 2018). According to research by LBH APIK Medan, the majority of cases handled by the organization are domestic violence (DV) and sexual violence against women. Data collected during the period of 2017 - 2021 notes that LBH APIK Medan handled a total of 300 DV cases, reflecting a serious issue related to violence against women in domestic environments. These challenges highlight the need for improvements in the criminal justice system to ensure fair and effective handling of perpetrators of violence and to provide adequate protection for female crime victims in Indonesia.

From a socio-legal perspective, the prevalence of violence against women is closely related to social and cultural patriarchal factors that systematically place women in subordinate positions. This culture legitimizes harmful behavior by men, making women vulnerable to violence. Additionally, the lack of gender understanding in law enforcement is a major obstacle to victim protection. Negative stigma attached to female victims of violence, which persists strongly in society, also influences the legal system's tendency to blame victims, often resulting in suboptimal justice. Therefore, addressing this issue seriously requires collective efforts to overcome patriarchal culture, raise gender awareness in the legal system, and eliminate damaging stigmas against female victims of violence (Aristi et al., 2021).

Juridically, Indonesia has established legal provisions governing the protection of women victims through Law Number 23 of 2004 concerning the Elimination of Domestic Violence. This law provides legal protection for women and children who are victims of violence within the household. Furthermore, Law Number 21 of 2007 on the Eradication of Human Trafficking also serves as a legal basis, ensuring protection for women and children who fall victim to human trafficking (Simatupang & Faisal, 2023). With these regulations in place, it is hoped that efforts in the prevention, handling, and protection of women victims of violence and human trafficking can be effectively carried out in accordance with the prevailing laws in Indonesia.

At the judicial level, the Supreme Court has also issued Supreme Court Regulation Number 3 of 2017 concerning Guidelines for Adjudicating Cases Involving Women Facing Legal Proceedings. This regulation establishes non-discriminatory treatment and respect for the dignity of women in the judicial process (Mestika, 2022). As a result, many cases of domestic violence (KDRT) and sexual violence go

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unreported because victims are afraid and traumatized by legal processes that are not women-friendly. The weakness in victim protection is evident in the 2021 cyber harassment case against a female student in Medan, which was closed due to technical reasons, namely the unavailability of sign language interpreters for deaf victims. This clearly violates Law No. 8 of 2016 concerning Persons with Disabilities, which regulates accommodation rights for persons with disabilities in legal processes.

Female victims are often blamed and considered complicit in the violence they experience. This mentality influences law enforcement and justice. Female victims often face discriminatory and inhumane treatment at the investigative, prosecutorial, and trial levels. The demeaning and blaming attitude of law enforcement towards victims still occurs frequently. Social stigma about the low dignity of women is also reflected in courtroom examinations (Kodir & Mukarnawati, 2008). Questions with a blaming tone are often thrown around. This is clearly contradictory to Supreme Court Regulation Number 3 of 2017, which prohibits discriminatory treatment towards women. The culture in society that still looks down on women also hinders protection for female victims. Victims are reluctant to report their cases out of fear of bearing shame in society. Some cases are even resolved within the family without involving legal authorities. Women's access to formal justice is still limited. In ad dition, resource limitations also hinder optimal protection for female victims. Investigators often lack a good understanding of gender-based violence issues. This situation is worsened by the lack of facilities to provide physical and psychological protection for female victims. Shelters and appropriate assistance are still very limited.

Formally and normatively, the legal framework for the protection of female victims in Indonesia is already quite adequate. However, from a socio-legal perspective, this issue must be viewed comprehensively, taking into account the patriarchal socio-cultural context that places women in a subordinate position. Stigma and discrimination against female victims of crime are influenced by gender constructions and power imbalances between men and women in society (Tijow & Sudarsono, 2017). Therefore, substantive, structural, and cultural legal reforms are needed to be more favorable to female victims of crime.

Legal substance needs to be directed towards providing maximum protection for female victims, for example, by expanding the definition of sexual violence in the Penal Code (Fauzia et al., 2021). Legal structure needs to be altered to be more gender-responsive, such as recruiting psychologists and social workers to accompany victim

investigations. Meanwhile, legal culture needs to be directed towards the formation of an inclusive legal culture that values the rights of female victims. In line with the socio-legal perspective, to provide adequate protection to female victims, it is necessary not only to change substantive law but also to undergo social transformation to prevent the continuous production of gender injustice (Asni, 2020). Efforts that can be carried out holistically include:

1) Revision and strengthening of substantive laws to provide strong protection to women victims of violence with the involvement of women activists in the process. For example, the revision of the Criminal Code, the Draft Law on the Elimination of Sexual Violence, and the revision of related regulations to uphold the principles of human rights and gender justice. There is also a need for a revision of Supreme Court Regulation No. 3 of 2017 on Guidelines for Adjudicating Women Facing the Law with stronger substance.
2) Enhancement of the capacity and gender sensitivity of law enforcement officials. This includes ongoing human rights and gender equality education, as well as the establishment of gender-based integrated service units in the police and courts in accordance with the mandate of the Law on the Elimination of Domestic Violence.
3) Reform of the justice system to be friendly towards women victims. For example, providing waiting and special hearing rooms, support, relaxation, and counseling for victims, appointing female judges, prosecutors, and lawyers if requested by the victim, prohibiting intimidation and re-victimization of victims during proceedings, and ensuring decisions in line with the provisions of the Law on the Elimination of Domestic Violence.
4) Provision of continuous psychosocial support and rehabilitation services for women victims by both the government and supporting NGOs. This is crucial for the recovery and social reintegration of victims, to prevent stigma and the possibility of becoming victims again.
5) Public campaigns and community education on human rights and gender equality to transform societal views that still harbor gender bias and position women as deserving of degradation or as objects of venting. This is to prevent and eliminate discriminatory treatment and violence against women, so as to no longer produce victims.

Therefore, it can be concluded that the legal treatment of female victims in the criminal justice process in Indonesia is an important issue to be discussed from a socio-

legal perspective. Despite legal guarantees for women's protection and access to justice free from discrimination within the judicial system, in reality, women rarely experience equality before the law, and access to justice for women remains difficult to attain. This is due to social and cultural factors influencing society's views and attitudes towards female victims, such as stigma and negative stereotypes related to women who are victims of sexual violence or domestic violence (Triwati, 2019).

In addition, there is still a significant amount of gender discrimination in the criminal justice process against women victims, such as the low number of female judges and the lack of understanding among judges regarding gender issues. This results in women victims often not receiving fair and equal treatment within the criminal justice system. Furthermore, there are still many cases of sexual harassment and sexual violence against women victims within the criminal justice system, such as instances of sexual harassment by law enforcement officers or judges towards female victims (Ningtyas et al., 2023).

Therefore, efforts are needed to enhance legal protection for women victims in the criminal justice process in Indonesia (Nurhilmiyah, 2019). One approach that can be taken is using the concept of Structural Gender Legal Aid (BHGS). BHGS provides a comprehensive approach to handling cases involving women facing legal issues, taking into account the structural aspects of gender injustice. This approach not only focuses on the individual aspects of cases involving women victims but also identifies and addresses the root structural issues that cause injustice against women in the legal and social systems.

The BHGS concept also considers the unequal power relations in society within the patriarchal cultural system, which often serves as a primary cause of injustice towards women. Thus, this approach not only addresses individual cases of women victims but also seeks to change the structures and power relations that result in gender injustice within the legal system. Through the BHGS concept, advocates and judges can gain a more favorable perspective towards women in providing legal assistance. This can help in providing better legal protection for women victims, whether as witnesses, victims, or perpetrators. Therefore, the BHGS concept can serve as a foundation for law enforcement in providing fairer and more supportive legal protection for women victims in criminal justice processes.

In this context, the implementation of the BHGS concept is expected to make a significant contribution to enhancing legal protection for female victims in the criminal

justice system in Indonesia. By considering the structural aspects of gender injustice, the BHGS concept can serve as a foundation for creating a more just legal system that is biased towards women, thus ensuring that female victims receive better legal protection in the criminal justice process.

LBH APIK Medan is one of the institutions that implements the Structural Gender Legal Aid (BHGS) concept in handling cases involving women in legal matters. The BHGS concept applied by LBH APIK Medan includes three important aspects: a legal approach from a women's perspective (feminist legal theory), principles in the Convention on The Elimination Discrimination of All Against Woman (CEDAW), and the triangle of women empowerment. In its implementation, LBH APIK Medan provides pro bono legal assistance to justice seekers, especially women and children experiencing gender injustice. LBH APIK Medan also incorporates CEDAW, Perma No. 3 of 2017 Regarding Women Facing the Law, and several other legal regulations that are supportive of women as the basis in every assistance process, from the police and prosecution to the judiciary.

In handling cases, LBH APIK Medan also refers to the standard operating procedures (SOP) for case handling. Every advocate must understand the principles of advocacy and document the handling of cases in detail and comprehensively. In addition to advocates, the availability of resources such as analysts, researchers, documenters, and legal drafters is crucial to the success of BHGS work. LBH APIK Medan also provides a comprehensive approach in handling cases involving women facing legal issues, taking into account the structural aspects of gender injustice. This approach not only focuses on the individual aspects of cases involving female victims but also identifies and addresses the root causes of structural issues leading to injustice against women in the legal and social systems.

In this context, the implementation of the BHGS concept by LBH APIK Medan is expected to provide a tangible contribution to improving legal protection for female victims in the criminal justice system in Indonesia. By considering the structural aspects of gender injustice, the BHGS concept can serve as a foundation for creating a more just legal system that is biased towards women, ensuring that female victims receive better legal protection in the criminal justice process.

The Social-Cultural-Structural Barriers Causing Weak Legal Protection for Female Victims in the Criminal Justice Process in Indonesia

Social-cultural-structural barriers can be the main factors causing the weakness of legal protection for women victims in the concept of Structural Gender Legal Aid (BHGS) applied by LBH APIK Medan, resulting in a weakened legal protection for women victims in the criminal justice process in Indonesia. Some of the social-cultural-structural barriers leading to the weakened legal protection for women victims in the criminal justice process in Indonesia include:

1) Stigma and Discriminatory Treatment

Negative stigma and gender stereotypes that burden women victims of crime still strongly persist in society. Women victims of sexual violence are often blamed and considered to have tarnished their own dignity. This stigma is rooted in a patriarchal culture that places women as objects of sexuality and controls women's sexual behavior. These stigmas and stereotypes also influence the views of law enforcement officials in handling cases of crimes against women. Examinations of victims are often tainted with negative prejudices and the assumption that the victim is also at fault for the incident that occurred (Rukman et al., 2023).

The research findings highlight the existence of strong social stigma against female victims in society. Despite being victims of violence and sexual harassment, women are often blamed and considered partially responsible for such incidents. This stigma creates significant impacts on the treatment of female victims at various stages of the legal system, including investigation, prosecution, and trial. The discrimination experienced by female victims, caused by this social stigma, poses a serious barrier to achieving equal justice and protection for them in the legal process.

This is contrary to Article 5 paragraph (3) of Law Number 23 of 2004 concerning the Elimination of Domestic Violence, which prohibits discriminatory treatment against victims. It is also inconsistent with Supreme Court Regulation Number 3 of 2017 on Guidelines for Adjudicating Women Facing the Law, which prohibits intimidation and demeaning treatment of female victims. Therefore, advocacy and education are needed to eliminate negative stigma against female victims in society. Reforms in substance, structure, and legal culture that are gender-responsive are also crucial to improve the treatment of female victims in

the legal process. Thus, legal protection for female victims of crime can be strengthened (Karya, 2013).

2) Patriarchal Culture

The patriarchal culture that still prevails in Indonesian society creates significant gender inequality. The persistence of this culture positions men as entities superior to women, resulting in serious impacts on societal awareness and law enforcement related to gender equality. The role of women in the public sphere is limited, and their access to formal justice is hindered due to the dominance of this patriarchal culture. Despite efforts to address crimes against women, the patriarchal culture also influences the legal process by demeaning women's positions as victims, while the behavior of male perpetrators is often excused (Apriliandra & Krisnani, 2021).

In the legal context, the weakness of sanctions against gender-based crimes, such as Domestic Violence (DV) and sexual violence, reflects a cultural paradigm that favors a specific gender, namely the patriarchal culture. For example, cases of DV are often still considered as domestic matters that should not be intervened through legal processes. Therefore, efforts are needed to deconstruct the patriarchal culture through education and the socialization of gender equality. Additionally, gender-responsive legal reforms are crucial to eradicate discrimination and crimes against women, which are triggered by the enduring influence of the strong patriarchal culture in society.

3) Minimal Support for Victims

The lack of support for victims, especially women who are victims of violence, is one of the serious obstacles to their protection. Research indicates that the lack of psychosocial, medical, and legal support poses challenges for female victims. This situation worsens due to the scarcity of shelters or safe houses available for women experiencing violence. Although Law Number 23 of 2004 concerning the Elimination of Domestic Violence grants victims the right to receive health services, psychosocial rehabilitation, and social recovery, the facilities and resources needed to fulfill these rights are still very limited in practice (Faida, 2020).

In addition to the still dominant patriarchal culture, challenges in protecting women victims of violence also include the lack of psychosocial support and quality legal assistance, which may potentially endanger victims by triggering re-traumatization during legal processes. To address this, an increase in budget and

supporting infrastructure for female victims is needed, so that they can receive adequate protection and assistance. Collaborative efforts with non-governmental organizations (NGOs) focusing on victim support are also crucial to fill the support gaps that still exist in the criminal justice system. Through these joint efforts, it is hoped that a safer and more supportive environment can be created for women victims of violence, enabling them to better overcome their trauma and receive fair justice in legal proceedings.

Thus, these collective efforts are expected to ensure that the rights of victims are fulfilled and provide more effective protection. To address the lack of support for female victims, an increase in budget and supporting infrastructure is necessary. Cooperation with NGOs focusing on victim support is also required to fill the support gaps in the criminal justice system. With these steps, it is hoped that the rights of female victims can be better fulfilled, and the protection system can provide more effective support for them.

4) Limited access to justice and legal aid services

The limited access to justice and legal aid services is a serious issue for women victims from marginalized groups, such as those from poor communities or with disabilities, including commercial sex workers. Financial constraints and a lack of legal knowledge pose significant barriers for them in seeking justice. Research indicates that the outcomes of economic and educational disparities make it difficult for these marginalized groups to access legal aid services and engage in formal legal proceedings (Syahbana, 2022). In this context, it is important for legal aid institutions to provide specialized and integrated assistance to overcome these obstacles so that women victims from marginalized groups can have equal access to legal aid services and can participate fairly in the judicial process.

The research findings also emphasize the need for special attention to this marginalized group. By providing sensitive assistance to their needs, legal aid institutions can help overcome not only financial constraints but also the lack of legal knowledge, which often serves as a barrier. As a proactive step, legal education can empower women victims from marginalized groups, enabling them to understand their rights and feel more confident in facing legal processes.

In order to create more equitable access to justice, collaboration between legal aid institutions, the government, and non-governmental organizations needs to be enhanced. Adequate financial support and resources should be allocated to

ensure that specialized assistance for this marginalized group can be effectively implemented. Additionally, efforts to improve the education system and economic empowerment are also necessary to reduce the inequalities that hinder achieving equal access to justice for women victims from marginalized groups (Ningtyas et al., 2023).

5) Lack of civil society participation in victim advocacy

The role of civil society in providing support and legal advocacy for women victims is considered to be limited, despite the crucial role that such advocacy plays in ensuring a fair and non-discriminatory legal process for the victims. The importance of civil society involvement as the main actors in supporting women experiencing various forms of violence or injustice cannot be underestimated. Therefore, there is a need to enhance the capacity of civil society organizations to provide more effective and comprehensive support to women victims. This effort will improve their ability to provide quality legal assistance and advocate for the rights of women at both the individual and systemic levels.

Research findings indicate that the role of civil society in providing support and legal advocacy for women victims is still perceived to be limited. However, civil society advocacy is crucial to ensuring a fair and discrimination-free legal process for victims. The involvement of non-governmental organizations (NGOs) and women's organizations in assisting victims during the legal process is still minimal. The capacity of civil society organizations to provide support and legal advocacy from a victim's perspective needs continuous improvement. Collaboration between law enforcement and civil society organizations needs to be established to ensure that women victims receive quality legal support (Utami, 2016). Therefore, civil society advocacy will play a crucial role in achieving justice for women victims in court.

6) Low Capacity of Law Enforcement Officials

The research results indicate that the understanding of law enforcement officials regarding gender equality issues and violence against women is still minimal, posing a barrier to victim protection. Investigators often use blaming and cornering questions during the examination process, which clearly violates human rights standards. The lack of professionalism and ethics among law enforcement officials needs to be addressed through capacity building and continuous training. Police and prosecutor codes of ethics also need to be enforced to prevent

malpractice and unfair treatment of female victims (Permatananda, 2022).

The research also reveals a lack of understanding among judges and law enforcement officials regarding gender issues. This has an impact on decisions that are not favorable to female victims. Unsupported structures, such as the scarcity of female judges, also pose obstacles in ensuring a fair gender justice system. Additionally, the lack of supportive structures, such as a low number of female judges and insufficient policies for legal protection of female victims, hinders the criminal justice process. Gender imbalance within the criminal justice system can influence perspectives and decisions made, leading to the neglect of legal protection for female victims (Rodliyah et al., 2021). Therefore, increasing capacity and providing gender training for law enforcement officials are crucial. The implementation of professional ethical codes and gender-responsive policy reforms is also crucial in addressing this issue. Consequently, the capaci ty of law enforcement to provide protection for female victims can be enhanced.

Those are some socio-cultural-structural barriers that cause the weakness of legal protection for female victims in the criminal justice process in Indonesia. Hard work from various parties is needed to overcome these obstacles in order to achieve better access for female victims to obtain justice. Thus, a significant challenge in the reform of the criminal justice system that promotes gender justice in Indonesia lies in the transformation of the legal paradigm and culture of law enforcement officials, as well as institutional reforms that support victim-friendly services. Changes are needed not only at the formal regulatory level but also at the implementation level involving civil society participation. Governmental political commitment and budgetary support are also required for the gender-responsive criminal justice system reform to be realized.

4. Conclusion

In a formal normative sense, the legal framework for the protection of female victims in Indonesia is already quite adequate, such as the Law on the Elimination of Domestic Violence and the Law on the Eradication of Human Trafficking, which provide protection for women and child victims of violence. At the judicial level, the Supreme Court has also issued Supreme Court Regulation Number 3 of 2017 on Guidelines for Adjudicating Cases of Women Facing Legal Issues, which regulates non-discriminatory treatment towards women. However, in practice, many female

victims still experience discrimination and injustice in criminal proceedings. This is influenced by social and cultural patriarchal factors that place women in subordinate positions, as well as negative stigma in society towards female victims of violence that affects the attitudes of law enforcement officials. Therefore, from a socio-legal perspective, substantive, structural, and cultural changes in the legal system are needed to be more gender-responsive and provide maximum protection for female victims.

The social-cultural-structural barriers causing the weakness of legal protection for women victims include negative stigma and discriminatory treatment towards female victims in society that affect the legal process, a patriarchal culture that places women in subordinate positions, thereby justifying crimes against women, lack of psychosocial, medical, and legal support for female victims, as well as limited access for marginalized women victims to justice and legal assistance. At the structural level, the low capacity of law enforcement agencies from a gender perspective, lack of civil society participation in victim advocacy, and legal and judicial systems that are not victim-friendly also hinder legal protection for women victims of violence and sexual crimes in the criminal justice process in Indonesia.

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