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## The Art Of Advocacy For Victims Of Sexual Violence

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### ABSTRACT

*Legal advocacy constitutes a vital instrument in the provision of legal aid. The rising number of cases of sexual violence against women and children underscores the necessity of legal advocacy in addressing the needs of victims. The growing number of reported cases of sexual violence should be regarded positively, as it reflects increasing public courage to report such incidents within their communities. Although advocacy does not constitute a legal revolution, its implementation plays a pivotal role in safeguarding the rights of victims of sexual violence. Accordingly, advocacy techniques and methods developed within the community must be examined and evaluated to ensure that their application does not inadvertently harm victims or infringe upon their rights. The practice of advocacy must therefore be continuously refined and adapted to the specific needs of those who receive advocacy services in this context, victims of sexual violence. This study employs a normative legal research method, supported by empirical legal research based on cases of sexual violence within the jurisdiction of Pasuruan Regency. The findings suggest that several advocacy techniques generally applied in other contexts may also be effectively implemented in providing legal aid for victims of sexual violence. Nevertheless, the involvement of relevant stakeholders and the allocation of adequate resources are essential to promoting victims' well-being. Confidentiality must likewise be strictly observed as an integral part of protecting victims of sexual violence. Furthermore, the adoption of certain non-traditional advocacy models should be considered by advocates and paralegals when assisting victims, provided that the paramount consideration remains the best interests of the victims as survivors of sexual violence.*

**Keywords:** *Advocacy, Victims, Sexual Violence*

### ABSTRAK

*Pembelaan hukum merupakan instrumen vital dalam penyediaan bantuan hukum. Meningkatnya jumlah kasus kekerasan seksual terhadap perempuan dan anak-anak menggarisbawahi perlunya pembelaan hukum dalam menangani kebutuhan para korban. Meningkatnya jumlah kasus kekerasan seksual yang dilaporkan harus dipandang positif, karena mencerminkan meningkatnya keberanian masyarakat untuk melaporkan insiden tersebut di dalam komunitas mereka. Meskipun pembelaan bukanlah revolusi hukum, implementasinya memainkan peran penting dalam melindungi hak-hak korban kekerasan seksual. Oleh karena itu, teknik dan metode pembelaan yang dikembangkan dalam masyarakat harus diperiksa dan dievaluasi untuk memastikan bahwa penerapannya tidak secara tidak sengaja merugikan korban atau melanggar hak-hak mereka. Praktik pembelaan karenanya harus terus disempurnakan dan disesuaikan dengan kebutuhan khusus mereka yang menerima layanan pembelaan dalam konteks ini, yaitu korban kekerasan seksual. Studi ini menggunakan metode penelitian hukum normatif, yang didukung oleh penelitian*

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*hukum empiris berdasarkan kasus-kasus kekerasan seksual di wilayah hukum Kabupaten Pasuruan. Temuan menunjukkan bahwa beberapa teknik advokasi yang umumnya diterapkan dalam konteks lain juga dapat diimplementasikan secara efektif dalam memberikan bantuan hukum bagi korban kekerasan seksual. Meskipun demikian, keterlibatan pemangku kepentingan terkait dan alokasi sumber daya yang memadai sangat penting untuk meningkatkan kesejahteraan korban. Kerahasiaan juga harus dijaga secara ketat sebagai bagian integral dari perlindungan korban kekerasan seksual. Lebih lanjut, penerapan model advokasi non-tradisional tertentu harus dipertimbangkan oleh advokat dan paralegal ketika membantu korban, dengan tetap mengutamakan kepentingan terbaik korban sebagai penyintas kekerasan seksual.*

**Kata Kunci:** *Advokasi, Korban, Kekerasan Seksual*

## INTRODUCTION

The Faculty of Law of Merdeka University of Pasuruan has been collaborating with the Women's Empowerment, Child Protection, and Family Planning Service (DP3AP2KB) of Pasuruan Regency since 2023. As an implementation of this collaboration, the Legal Consultation and Aid Bureau of the Faculty of Law of Merdeka University of Pasuruan (BKBH-FH UMP) has appointed legal aid officers at the Regional Technical Implementation Unit for the Protection of Women and Children of Pasuruan Regency (UPTD PPA Pasuruan Regency). This unit is designated for victims of violence, including both child victims and victims of violence against women occurring within Pasuruan Regency.

Focusing on cases of sexual violence, based on data concerning case handling that received legal assistance from Advocates and Paralegals of BKBH-FH UMP during the period from July to December 2023 (six months), there were 18 cases involving women and child victims in the Pasuruan Regency area. This figure increased in 2024, with a total of 59 cases receiving legal assistance. However, this number is believed to be far lower than the actual number of incidents occurring in Pasuruan Regency, given the limited willingness of victims to report such crimes to law enforcement authorities. As is widely known, sexual violence is often likened to the tip of the iceberg: the lack of reporting does not imply the absence of cases

Given this phenomenon, advocacy is crucial as a form of legal protection in addressing the needs of victims of sexual violence. Advocacy is necessary not only to encourage victims to report crimes committed against them but also to strengthen community awareness of such offenses. Advocacy for victims of sexual violence frequently requires the involvement of multiple parties. However, advocacy techniques employed by relevant stakeholders in the provision of legal aid are at times insufficient to persuade victims of sexual violence to pursue legal remedies. The author contends that advocacy is both a science and an art. Scientifically, there is no universally accepted formula for its techniques or methods of implementation. Accordingly, in-depth research is necessary to determine advocacy practices that are most appropriate for providing legal protection, particularly for victims of sexual violence, both women and children.

This research seeks to identify suitable advocacy techniques applicable to victims of sexual violence. Prior to that, this study must also clarify the general concept of legal advocacy, delineate the scope of advocacy for victims of sexual violence, and define the normative boundaries that govern advocacy practices. The objective is that advocates will be able to identify appropriate advocacy techniques capable of truly realizing legal protection for victims of sexual violence, particularly women and children. The focus of this research is therefore to formulate advocacy techniques for victims of sexual violence, taking into account both empirical realities in the field and the normative framework established by policymakers.

Sexual violence refers to conduct or acts of a sexual nature committed by one person against another without consent, thereby creating legal status within the criminal law framework as perpetrator and victim. Such acts often involve elements of threats, coercion, or manipulation. Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS) enumerates nineteen (19) forms of sexual violence regulated under Article 4, namely: (1) non-physical sexual harassment, (2) physical sexual harassment, (3) forced sterilization, (4) forced contraception, (5) forced marriage, (6) sexual exploitation, (7) sexual torture, (8) sexual slavery, and (9) electronic-based sexual violence. Furthermore, it also includes (10) rape, (11) sexual intercourse with children, (12) indecent acts, (13) sexual exploitation of children, (14) indecent acts against children, (15) pornography involving children or pornography explicitly containing violence and sexual exploitation, (16) forced prostitution, (17) acts violating morality against the victim's will, (18) sexual violence within the household, (19) human trafficking crimes aimed at sexual exploitation, as well as money laundering crimes where the predicate offense is sexual violence, and finally, other crimes expressly recognized as sexual violence under statutory provisions.

Advocacy is essentially a form of persuasive communication aimed at influencing stakeholders in policy-making or decision-making. Advocacy for victims of sexual violence, therefore, involves efforts to promote the rights of survivors and to establish a legal protection framework in their favor. To date, numerous agencies, institutions, and organizations have undertaken advocacy efforts for victims of sexual violence, particularly children and women, using a variety of approaches. However, advocacy often encounters obstacles, including limited personal and institutional capacity, as well as shifting socio-political conditions that hinder the maximization of advocacy efforts.

The recovery of victims of sexual violence must be a primary concern and an essential component of advocacy. The recovery process is neither simple nor short-term, and survivors remain vulnerable to repeated victimization. Recovery efforts must not be limited to physical healing but must also address psychological and social rehabilitation, both of which significantly affect survivors' well-being. Accordingly, victim recovery should be conducted through an integrated approach involving cross-sectoral stakeholders.

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In principle, the Government of Indonesia bears responsibility and is obligated to guarantee concrete measures of protection for victims of sexual violence, both women and children. Victims of sexual violence may suffer a range of harms, including physical injuries and damage to reproductive organs, as well as severe psychological trauma affecting their mindset and future. Victims enduring such harm must receive special protection from the government to ensure they can live their lives properly and normally after the incident.

Based on previous research, including the study entitled “Legal Protection for Child Victims of Sexual Crimes by Homosexuals from the Perspective of Child Protection” (Dina, 2023), it has been established that special protection by the state for victims may take the form of both preventive and repressive legal protection. Preventive legal protection includes supervision, education, and legal counseling, while repressive legal protection encompasses imposing sanctions on perpetrators through law enforcement, providing legal assistance, and ensuring access to information regarding case developments. It also includes restitution, compensation, counseling, and healthcare recovery for the restoration of victims’ conditions.

Advocacy forms part of the legal aid extended to victims/survivors of sexual violence. Victims have the right to fair treatment, and perpetrators must be held legally accountable for actions causing harm to women and children. Perpetrators must be punished in accordance with prevailing laws and regulations. In pursuing justice through law enforcement, victims must be afforded legal assistance and support. Consequently, legal aid providers and advocates must understand appropriate advocacy techniques. Legal theories, namely the theory of justice, the theory of legal certainty, and the theory of legal utility, must serve as the foundation for achieving the objectives of legal advocacy for victims of sexual violence. Advocacy itself is regarded as an art, and to date, there exists no standardized technique governing its implementation, particularly in cases of sexual violence.

## METHOD

The normative juridical research method is the primary method employed in this study, focusing on the examination of legal norms and regulations relevant to the research focus. Several approaches were adopted, including the legislative approach, the conceptual approach, the case approach, and the analytical approach. The research commenced with a review of laws and regulations concerning legal advocacy for victims of sexual violence, followed by an analysis of the concept of advocacy for victims of sexual violence and an examination of legal cases related to sexual violence. In addition to normative legal research, this study is also supported by empirical legal research, namely research conducted through field-based methods to sharpen the analysis of research findings in addressing the legal issues identified in the problem formulation. The empirical legal research applied in this study consists of a case approach and a review of field-level advocacy practices, carried out by involving a sample of victims and

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relevant stakeholders, namely the local government and the police. The population in this study comprises victims of sexual violence in the Pasuruan Regency area who filed complaints with the UPTD PPA Pasuruan Regency and received legal assistance services from BKBH-FH UMP during the period from mid-2023 to the end of 2024. The sampling technique applied was non-probability sampling, specifically purposive random sampling, whereby the sample selection was determined based on the researcher's judgment, ensuring that the selected sample was appropriate and met the representational needs of the study.

The data used in this study consist primarily of secondary data, complemented by primary data. The secondary data were obtained through literature review (Library Research). The primary data consist of records of sexual violence cases from 2023 to 2024 at BKBH-FH UMP and UPTD PPA Pasuruan Regency, as well as the results of victim assessments and interviews with officers at UPTD PPA Pasuruan Regency. Data collection methods included literature study and interviews. Data analysis was conducted using normative analysis, while the data were processed through an editing process. The research findings are presented systematically in descriptive form, by comparing and correlating legal materials with the issues under study, thereby producing a comprehensive and coherent account consistent with the objectives of the research.

## RESEARCH RESULTS AND DISCUSSION

### *Advocacy Concept for Victims of Sexual Violence*

In order to achieve one of the objectives of the State, namely to promote public welfare, the State possesses the authority to regulate its people, particularly in the field of law enforcement. The purpose of such regulation is to ensure legal protection for the people in accordance with the values of Pancasila and the protection of human rights, thereby realizing the Indonesian State as a State based on law. One form of legal protection for the people, as derived from the principles of Pancasila, is the provision of legal aid, including for victims of sexual violence, both women and children. Article 1 paragraph (2) of the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) stipulates that Indonesia is a State based on law, obliged to recognize and protect the human rights of every individual and citizen. Legal protection, legal aid, and the protection and recognition of human rights constitute part of the government's efforts to establish law enforcement as a means of realizing justice for the people, including victims of sexual violence. In line with the mandate of Article 27 paragraph (1) of the 1945 Constitution, which guarantees equal standing before the law, the principle of equality before the law ensures that every person has the right to equal treatment under the law, including the poor and victims of sexual violence, both of whom are entitled to access law and justice.

Law Number 8 of 1981 concerning Criminal Procedure (KUHAP) also regulates the principle of legal aid. In the General Elucidation, Part 1, Number (3) letter (e), it is stipulated that every individual involved in a case must be given the opportunity to obtain legal aid, provided solely in the interest of defending oneself.

The principle of legal aid functions to safeguard human dignity, both morally and materially, better known as human rights.

Table. 1  
Types of Sexual Violence Cases

Jenis	Jumlah
Persetubuhan	32 perkara
Pencabulan	14 perkara
TPPO	3 perkara
TPKS	11 perkara
ITE	3 perkara
KDRT	63 perkara
<b>Total</b>	32 perkara

Source: Report on the Provision of Legal Aid to the UPTD PPA Pasuruan Regency in 2023 and 2024

Table. 2  
Qualifications for Victims of Sexual Violence

Kualifikasi	Rentang Usia				Jumlah
	0-10 tahun (anak)	10-18 tahun (anak)	18-25 tahun (dewasa)	25 tahun atau lebih (dewasa)	
Female	2	47	7	7	63 orang
Male	-	-	-	-	
<b>Total</b>	2	47	7	7	63 orang

Source: Report on the Provision of Legal Aid to the UPTD PPA Pasuruan Regency in 2023 and 2024

Table. 3  
Qualifications of Perpetrators of Sexual Violence

Perpetrator Profile	Age Range				Amount
	0-10 years (children)	10-18 years (children)	18-25 years (adult)	25 years and above (adult)	
Parent	-	-	-	3	3
Orang Tua	-	3	1	7	11
Friend	-	2	21	-	23
Household servant	-	-	-	1	1
Guru	-	-	-	2	2
Religious Figures/Community Leaders	-	-	-	1	1

Foreigners	-	-	-	16	16
Husband	-	-	-	6	6
Amount	-	5	22	36	63 orang

Source: Report on the Provision of Legal Aid to the UPTD PPA Pasuruan Regency in 2023 and 2024

Table. 4  
Places where Sexual Violence Occurs

Place	Amount
House	32
School/Educational Place	2
Public Facilities/Places	29
<b>Total</b>	63

Source: Report on the Provision of Legal Aid to the UPTD PPA Pasuruan Regency in 2023 and 2024

Table. 5  
Legal Aid Service Users

Type	Amount	Reason
Applying for legal aid	52	The reporter needs legal consultation and assistance for the victim in the legal process from police report to the trial and cannot afford the service of a professional lawyer.
Not applying for legal aid	11	The complainant already has his own legal representative. The complainant refuses legal proceedings and requests that the case be resolved through mediation.

Source: Report on the Provision of Legal Aid to the UPTD PPA Pasuruan Regency in 2023 and 2024

Further provisions on legal protection can be found in Law Number 18 of 2003 concerning Advocates (the Advocates Law) and Law Number 16 of 2011 concerning Legal Aid (the Legal Aid Law). Both laws guarantee the right to legal aid for the poor with the assistance of advocates. The Advocates Law stipulates that legal aid is a legal service provided free of charge by advocates to clients who cannot afford it. Likewise, the Legal Aid Law stipulates that legal aid is a legal service provided free of charge by legal aid providers to legal aid recipients. Advocacy forms part of legal aid. The provision of free legal aid by advocates constitutes one manifestation of the principle of equality before the law, as guaranteed in the Universal Declaration of Human Rights, under which everyone is entitled to legal assistance without exception. The Universal Declaration of Human Rights also guarantees equality before the law and protection from torture, as well

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as from unfair, inhumane treatment or punishment. The Advocates Law further regulates the normative obligations of advocates as *officium nobile* to provide legal assistance to every citizen confronted with legal problems, regardless of background, including race, ethnicity, social class, political beliefs, economic status, or gender.

With regard to sexual violence, when categorized by gender, violence is most often directed at women and continues to be a pressing issue of public concern. One contributing factor is that prevailing societal approaches do not follow victim-centered protection policies, which should prioritize meeting the needs of victims. At present, the issue of sexual violence in Indonesia has reached an alarming level, as demonstrated by data on sexual violence cases in Pasuruan Regency during 2023 and 2024, many of which became national issues due to the fact that perpetrators were often those closest to the victims. Accordingly, protecting women and children within the household in cases of sexual violence is of urgent importance.

Any form of sexual violence has a significant impact on the health and well-being of women and children who are victims. The government has indeed provided protection in the form of legal frameworks through several regulations, including Law Number 23 of 2004 concerning the Elimination of Domestic Violence (the PKDRT Law), Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking (the TPPO Law), Law Number 23 of 2002 concerning Child Protection as amended by Law Number 35 of 2014 (the Child Protection Law), and most recently, Law Number 12 of 2022 concerning the Crime of Sexual Violence (the TPKS Law). This is in addition to Law Number 1 of 2023 concerning the Criminal Code (KUHP), which will come into effect in January 2026. The government has acknowledged that sexual violence is an extraordinary crime, in line with the view of the Indonesian Child Protection Commission (KPAI), which classifies sexual crimes, particularly those against children, as extraordinary crimes.

Nevertheless, in practice, government efforts at legal protection through the aforementioned regulations still require a more concrete role in addressing the actual problems experienced by victims of sexual violence whose rights have been violated. The government must formulate extraordinary measures to prevent and address cases of sexual violence, which are increasingly diverse and include forms occurring in cyberspace. The number of cases continues to rise, and the data can be categorized based on the qualifications of perpetrators, the characteristics of victims, as well as their age and gender. Research indicates that perpetrators come from diverse backgrounds, including parents, siblings, teachers, religious leaders, seniors, peers, and household workers, and cases even include same-gender sexual violence. The locations of sexual violence also vary, ranging from homes and schools to public spaces.

Presidential Regulation Number 7 of 2023, amending Presidential Regulation Number 65 of 2020 concerning the Ministry of Women's Empowerment and Child Protection, mandates the provision of final referral services for cases of violence against women and children, implemented through UPTD PPA in each

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province and district/municipality. Strengthening multi-stakeholder collaboration and synergy in efforts to protect victims, eliminate violence, and improve the welfare of victims of sexual violence is essential. The UPTD PPA in each province and district/municipality is not only intended to receive reports but also to provide safe spaces for female and child victims in need of protection.

Even today, victims of sexual violence are still frequently stigmatized. Victims are often perceived as having enjoyed the violence they experienced, leading to re-victimization. The lack of legal protection contributes to victims' hesitation to pursue legal action, as they feel vulnerable to criminalization, particularly since cases of sexual violence often lack witnesses other than the victim. This is further aggravated by media coverage published without victims' consent, which frequently marginalizes their experiences. The disclosure of victims' identities without regard to their future well-being often poses long-term digital threats. Reporting details such as whether the victim was alone at night, wearing tight clothing, or in certain circumstances, can lead to societal acceptance of the perpetrator's actions. Such attitudes reinforce judgmental views towards victims and often result in cases being resolved through amicable settlement, which does not produce a deterrent effect for perpetrators. Moreover, some law enforcement officers still perceive such cases as insufficiently urgent to warrant intervention. In this context, legal advocacy becomes an urgent necessity for victims of sexual violence.

Traditionally, legal advocacy involves argumentative efforts to persuade a judge that a specific legal rule, when applied to the facts presented in court, supports the client's legal position. Legal protection, on the other hand, is defined as the defense of the dignity and worth of every legal subject, in the form of human rights, based on laws prohibiting arbitrary actions. Therefore, it is important to recognize that in the provision of legal aid, advocacy techniques are essential in achieving the stated objectives of legal aid.

According to Sinaga (2024), advocacy can be divided into legal advocacy and non-legal advocacy. Legal advocacy refers to a series of advocacy activities conducted by specific individuals (legal scholars) within judicial institutions (the police, prosecutors, courts, and others) to obtain a legal decision. Non-legal advocacy, on the other hand, consists of advocacy activities carried out by any member of the public with the aim of influencing or changing public policy, more commonly referred to as public advocacy.

Legal advocacy may be divided into two types: litigation and non-litigation. Litigation advocacy, also known as formal legal efforts, is conducted through the formal mechanisms of established legal institutions and administrative structures, such as the police, prosecutors, and courts. Litigation advocacy includes legal defense activities pursued in court. Non-litigation advocacy, also referred to as informal legal efforts, is carried out by mobilizing various potential forces outside the courts. Meanwhile, non-legal advocacy may take the form of visits and social pressure, which can manifest as social advocacy and community economic advocacy.

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Legal advocacy for victims of sexual violence aims to achieve law enforcement that is meaningful from the sociological perspective of victims and beneficial to society at large, consistent with the fundamental purposes of law itself, justice, certainty, and utility. Law enforcement constitutes a series of processes aimed at rendering legal norms effective in practice, thereby enabling those norms to function as guidelines for societal behavior and interaction within a State based on law. Consequently, the government plays a crucial role in realizing legal aid mechanisms for victims of sexual violence that provide sociological benefits and deliver justice in a manner consistent with the philosophical goals of the Unitary State of the Republic of Indonesia.

Accordingly, the concept of advocacy for victims of sexual violence aligns with the concept of legal aid provided by the State as a guarantee of human rights protection. Legal aid for victims of sexual violence may take the form of legal assessment, legal consultation, legal assistance, and legal advocacy in both litigation and non-litigation settings. Such legal aid may be provided free of charge, similar to legal aid for the poor as mandated by the government. Based on case data obtained by the researcher, the majority of sexual violence cases involve victims from lower-middle-class families, who may be categorized as poor. Given these economic conditions, victims are often unable to afford professional advocates to defend their rights. Accordingly, the State must ensure the provision of legal aid services, including advocacy and legal assistance, free of charge to victims.

### *The Art of Advocacy in Legal Protection for Victims of Sexual Violence*

Based on data concerning sexual violence cases in Pasuruan Regency collected by researchers over the past four (4) years, it is evident that the number of reported cases has shown an increasing trend. The Head of the UPTD PPA of Pasuruan Regency, in an interview with the researchers, stated that in 2020 the number of recorded cases of violence against women and children amounted to 30. In 2021, the number of recorded cases increased to 40, of which 80% involved children as victims of sexual and physical violence, while the remaining 20% constituted violence against women. In 2022, the number of recorded cases further rose to 73, consisting of 29 cases of violence against women and 62 cases of violence against children. The Head of DP3AP2KB of Pasuruan Regency further clarified that the data only reflects cases reported to the UPTD PPA, thereby indicating the existence of unrecorded cases due to the absence of formal reports submitted to the relevant institution.

The year-on-year increase in the number of recorded cases may be attributed to the growing awareness and understanding of victims and their families regarding the importance of reporting such incidents to the authorities, namely the police and the UPTD PPA of Pasuruan Regency. This increase is further supported by intensive outreach programs on violence against women and children that have been implemented at the village and sub-district levels by various elements of society. Such initiatives have significantly contributed to raising public awareness

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concerning the obligation to report acts of violence against women and children occurring within their communities.

The underlying causes of violence in Pasuruan Regency are multifaceted. These include environmental factors involving persons in close proximity to the victims, the influence of peers through uncontrolled social interactions, the negative impact of digital devices providing children with access to pornographic content, and insufficient parental supervision. A substantial proportion of child sexual violence victims fall within the age group of 12 to 15 years. Notably, several cases of sexual violence against children have been perpetrated by individuals within the household, including the victim's biological father, stepfather, stepbrother, stepgrandfather, or paternal and maternal siblings.

Data concerning the provision of legal assistance by the BKBH-FH UMP, in cooperation with the UPTD PPA of Pasuruan Regency, indicates that 18 victims received legal assistance services in mid-2023, while in 2024 the figure increased to 59. The legal assistance provided to victims of sexual violence encompasses both litigation and non-litigation advocacy, tailored to the specific legal needs of each victim. Reports on the implementation of such services by BKBH-FH UMP reveal that victims' legal needs are diverse, ranging from legal consultations and assistance in filing police reports to representation during judicial proceedings. Victims of domestic violence, particularly adult women, have also sought legal assistance in the form of negotiation and/or mediation, as well as in the preparation of legal documents and drafting. This diversity in legal needs demonstrates that the scope of advocacy for victims of sexual violence cannot be generalized across cases, thereby underscoring the complexity and nuanced nature of legal assistance in this context.

This is equally evident in relation to media coverage. In several cases of sexual violence that received legal assistance from BKBH-FH UMP, the victims and their families expressly refused to be reported in the media, primarily to safeguard their privacy and to avoid bullying on social media and within their local communities. Conversely, certain families of victims desired every stage of their case to be given public attention through extensive media involvement. This circumstance illustrates the importance of obtaining informed consent from victims and their families. Within the advocacy process, it is essential to provide education regarding potential future consequences, thereby enabling both victims and their families to determine the appropriate stance and steps to be taken in the handling of the case. A lack of awareness on the part of parents, guardians, or families of victims frequently results in re-victimization, manifesting in the form of bullying due to disclosure of the incident by family members who fail to prioritize the best interests of the victim.

Accordingly, based on the findings of this study, several activities may be generally applied in the context of legal advocacy for victims of sexual violence, namely: (1) Education and provision of information: education on the dangers and impacts of sexual violence must continue to be disseminated both within formal educational settings and through community counseling. The involvement of

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media and journalists as instruments of information dissemination is also essential in the development of legal advocacy; (2) Lobbying: in legal terms, lobbying may be understood as an effort to communicate opinions to others, with the objective of encouraging victims to report incidents of sexual violence to the competent authorities; (3) Cooperation: collaboration among multiple stakeholders is necessary to strengthen collective efforts in achieving the advocacy objectives established for victims of sexual violence; (4) Provision of solutions and community participation: victims of sexual violence who have taken the courageous step of reporting their cases, along with the challenges they face, must be assisted by way of solutions rather than subjected to stigmatization or public judgment. This also extends to the victims' right to obtain legal services in the form of consultation, mediation, negotiation, conciliation, and expert assessment. Community involvement is therefore indispensable to the effectiveness of legal advocacy; and (5) Legal assistance: in certain cases, professional assistance by advocates or paralegals is required to resolve legal problems experienced by victims of sexual violence as a result of the criminal acts committed against them.

In implementing advocacy activities for victims of sexual violence, attention must also be given to the following principles of victim handling: (1) survivor-centered; (2) gender-fair; (3) non-discrimination; (4) non-judgment; (5) comfort and absence of coercion; (6) equality; (7) confidentiality and security; (8) sensitivity to crisis situations; and (9) empowerment. Guided by these principles, legal advocacy efforts undertaken by advocates must be survivor-centered, with a particular focus on victims of sexual violence. Similarly, both the reporting process and case handling must prioritize the protection of victims' rights and the fulfillment of their needs. Decisions concerning reporting and subsequent procedural steps must be undertaken with the knowledge and informed consent of the victim.

It is imperative to recognize that advocacy efforts are directed toward advancing the interests of victims and fulfilling their needs. Survivors of sexual violence who are not children, in particular adult female victims, are individuals who possess the capacity and agency to make independent and constructive decisions without coercion or undue influence from any party (self-determination). Such decision-making by female victims is to be exercised subsequent to the advocate's fulfillment of their role and function, commonly referred to as informed consent. Legal advocates are thus obliged to respect and uphold the decisions made by victims, insofar as those decisions are constructive in resolving the problems confronted. Advocacy in the form of reporting alleged criminal acts and supporting victims must commence from the understanding that both victims and advocates occupy an equal position; neither party holds superior authority, nor should either presume greater knowledge in a manner that would result in domination. Advocacy must remain solely directed toward the best interests of the victim and the fulfillment of the victim's rights and needs, rather than serving the interests of the advocate.

Accordingly, the handling of sexual violence cases necessitates the empowerment of victims. Such empowerment seeks to enable victims to make

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independent decisions concerning their circumstances. Advocates, in this process, are tasked with accompanying victims by providing support and reassurance, ensuring that victims do not feel isolated in the ongoing process. Advocates must refrain from assuming that they know what is best for victims; instead, emphasis must be placed on instilling confidence in victims regarding their own ability to resolve problems, thereby enabling them to determine what is most appropriate for themselves.

The process of preventing and addressing sexual violence must be undertaken with due regard to gender equity. Gender equity is indispensable because sexual violence is strongly correlated with socially constructed gender norms that render certain groups more vulnerable to victimization than others. It also seeks to ensure that groups deemed vulnerable are empowered to articulate the problems they encounter, while simultaneously guaranteeing the protection and fulfillment of their rights.

Advocacy efforts must likewise be sensitive to diversity, signifying that there should be no discrimination against survivors of sexual violence based on their background. Advocates must not discriminate against victims on the grounds of gender, age, religion, race, ethnicity, sexual orientation, education, gender identity, class, social status, or disability; all victims must be treated without prejudice or bias. Transparency also constitutes a fundamental element of legal advocacy for victims of sexual violence. Such transparency must be directed primarily toward the victims themselves, requiring advocacy efforts to be both open and respectful of the victims' lived experiences. Accordingly, advocates should refrain from making premature conclusions, passing judgment, or attributing blame to victims of sexual violence absent a comprehensive and thorough investigation.

Advocacy must also prioritize the well-being of the victim. Advocacy efforts must be conducted free from coercion or undue pressure of any kind. Consequently, careful consideration must be given to the selection of advocates for victims of sexual violence. Several factors ought to be taken into account prior to the appointment of legal representatives, with the primary objective of safeguarding the victim's comfort. Such considerations may include gender, gender identity, sexual orientation, age, ethnicity, race, religion, education, social status, and disability, tailored specifically to the needs of each victim.

Another fundamental principle for advocates to observe is the confidentiality of victims. Documentation whether in the form of images, written records, video, or audio recordings must only be undertaken with the explicit consent of the victim. Victims possess the right to be fully informed of the purpose of such documentation, given that all information disclosed in the context of sexual violence cases is inherently confidential and must be safeguarded to ensure their safety. Victims also retain the authority to determine which aspects of the information must remain strictly confidential. Advocates must respect and uphold this principle. Information pertaining to the victim, the incident, or the case under review must not be disclosed to third parties. Such information may only be shared with relevant institutions at particular stages of the case, for example, with medical

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professionals in the preparation of a post-mortem report (*visum et repertum*) or during a police investigation.

A common error in practice arises when advocates recount the experiences of victims without their consent, either through social media platforms or informal communication. In addition to causing psychological harm, disclosure of the incident without the victim's authorization may inadvertently strengthen the defense of perpetrators. More gravely, such disclosures often expose victims to re-victimization within their social environments such as bullying at school in the case of child victims, or stigmatization through disparaging comments on social media. Nonetheless, there are victims and/or their families who, with a clear understanding of the principle of informed consent, voluntarily agree to publicize their experiences. Such disclosures are often motivated by the desire to educate the broader community and prevent the recurrence of similar incidents. In these circumstances, the role of both print and electronic media as instruments for disseminating information becomes crucial and significantly contributes to the effectiveness of advocacy for victims of sexual violence.

Grounded in the foregoing principles of advocacy, the process of reporting and handling sexual violence must be immediate, serious, and supported by adequate legal assistance. Several measures may be adopted to optimize the provision of legal assistance: (1) the provision of incentives for advocates, legal aid institutions, legal aid organizations, and paralegals engaged in assisting victims; (2) prioritizing responsive, active, and structured legal aid mechanisms capable of ensuring access to justice at all levels of the judicial process; (3) guaranteeing that legal aid for victims of sexual violence is delivered entirely free of charge; and (4) instituting robust oversight mechanisms for the implementation of legal assistance. Once such measures are effectively realized, access to law and justice for victims of sexual violence can be significantly improved, particularly for those living below the poverty line. Furthermore, advocacy skills are essential to establish patterns of constructive relationships between legal aid providers and victims, ensuring that the provision of assistance remains determined primarily by the interests of the victims namely, their protection and the development of an ideal model of victim-centered legal aid.

In addition to litigation-based advocacy, non-litigation advocacy techniques may be employed in the protection of victims of sexual violence. Such techniques include policy formulation on the elimination of sexual violence, public education campaigns, socialization and advocacy concerning domestic violence, dissemination of communication strategies, and the development of gender-sensitive education and training programs on issues related to sexual violence. According to Chilmiati (2020), advocacy techniques for the protection of victims of sexual violence may be carried out through two principal service models. First, the Procedural Rights Model, which provides opportunities for victims to play an active role in the legal and judicial process concerning the acts of sexual violence they have experienced, with or without the assistance of an advocate. Second, the Service Model, which emphasizes the need for specific standards in the

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implementation of victim assistance, serving as guidelines for law enforcement authorities, including the police, in addressing cases of sexual violence.

The handling of sexual violence cases cannot be considered sufficient if limited solely to the imposition of criminal sanctions upon perpetrators; it must also encompass the fulfillment of victims' rights to treatment, protection, and recovery. The fulfillment of these rights, as mandated in Article 20 of Government Regulation Number 30 of 2025 concerning the Prevention of Sexual Violence and the Handling, Protection, and Recovery of Victims (PP 30/2025), is implemented on the basis of assessments conducted by UPTD PPA, UPT/UPTD in the social sector, community-based service providers, or law enforcement authorities acting within the scope of their competence. Pursuant to Article 21 paragraph (2) of PP 30/2025, victims of sexual violence are entitled to: protection and recovery services; legal services; access to documentation and information concerning the entirety of the case-handling process; health services; psychological support; services and facilities responsive to their special needs; and the right to the removal of sexually explicit content in cases involving the use of electronic media.

Considering the rights of victims of sexual violence that must be fulfilled, legal protection for such victims necessarily requires the creativity and skills of advocates, so that the art of legal advocacy may coexist with ethical boundaries and remain transparent to all parties. The art of legal advocacy ultimately determines whether advocates and legal aid providers, in pursuing the interests of victims, choose to follow an ethical and orderly path or otherwise. This process is profoundly influenced by the advocate's capacity to formulate the scope and extent of advocacy applicable to victims of sexual violence, including the ability to anticipate the potential consequences of any legal action taken. Equally, the use of power and resources in the conduct of advocacy must remain within the bounds of acceptable advocacy practice to prevent arbitrariness. Creativity and professional competence are thus indispensable for advocates to extract the desired impact and to determine the most suitable form and category of legal protection for victims of sexual violence.

A multidimensional approach, capable of acceptance across all levels of society, can be implemented in providing legal assistance to victims of sexual violence. Such assistance may also be realized through collaboration with relevant stakeholders and all components of the nation, thereby functioning as a catalyst for the creation of a just, prosperous, tolerant, and law-abiding society, irrespective of racial, ethnic, religious, economic, political, or socio-cultural distinctions.

The art of legal advocacy can be conceptualized as both a critical legal instrument and a navigational device for engaging with the dynamism of law particularly in relation to legal formalism and commodification by revealing the intertwined histories of art, law, and resistance. Law that creates art may be transformed into art that generates law, through the subsumption of law into contemporary artistic practice, advocacy, and the subsumption of art into acts of resistance. An advocate who finds themselves at a legal crossroads inevitably encounters a creative moment that may inspire renewed determination in resolving

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the client's legal issues. This is because art and law are not wholly distinct but may be viewed as mutually reflective domains that can be effectively combined. In defending a client, an advocate is naturally inclined to undertake measures favorable to that client's interests. In practice, advocates reject deadlock; rather, a professional advocate will generate innovative, non-conventional patterns of defense to optimize performance. Hence, advocacy constitutes the art of processing thought, constructing arguments, and undertaking legal action, occasionally beyond rigid legal formalities, in the execution of the advocate's professional duty to defend clients. Nonetheless, such legal actions must be undertaken in good faith, consistent with the advocate's *officium nobile*, as mandated by the Advocates Law.

The stages essential to the conduct of legal advocacy are as follows: (1) Analysis: This constitutes the initial and crucial step, encompassing the collection of information concerning the victim's circumstances. Such information may be gathered through the parties involved, relevant policies, aligned organizations or stakeholders, and the mapping of pathways capable of influencing decision-making, with the objective of achieving the most favorable outcome for the victim. (2) Strategy: Based upon the preceding analysis, the next stage involves the formulation of an advocacy strategy. This strategy defines the orientation, plan, and focal efforts directed toward achieving advocacy objectives. (3) Mobilization: This stage involves consolidating advocacy efforts through coalition building. Mobilization requires the engagement of stakeholders to secure resources, develop partnerships, involve target groups, and allocate responsibilities, including the development of activities, supporting materials, and advocacy messages, thereby meeting victims' needs while reinforcing the advocacy coalition. (4) Action and Evaluation: At this stage, unity of vision and purpose among advocacy partners is indispensable to the successful implementation of advocacy measures. Equally essential is the establishment of objective and routine monitoring to assess the efficacy of such measures. Evaluation is necessary to identify which actions must be further pursued in the future. (5) Continuity: Advocacy must not end with the adoption of a single policy but must instead be sustained over time. This requires long-term planning in accordance with established advocacy objectives, the preservation of coalition integrity, and the continual refinement of arguments in light of evolving circumstances.

Based on research findings, the integrated handling of cases of sexual violence involves the provision of legal services through several measures, namely: (1) conducting an assessment of victims' legal needs; (2) providing legal counseling; (3) informing victims of their right to legal aid and services; (4) facilitating the reporting of cases to law enforcement authorities; (5) conveying information to law enforcement officers regarding victims' specific needs; (6) providing assistance to victims during investigation and inquiry; (7) furnishing information concerning the ongoing law enforcement process; (8) preparing case reports to support examination proceedings; (9) liaising with investigators to involve experts and/or arrange for medical and psychiatric examinations to strengthen evidentiary processes; (10) coordinating with the Witness and Victim Protection Agency (LPSK)

concerning the fulfillment of victims' and/or witnesses' rights; (11) engaging with investigators and prosecutors to monitor victims' progress during judicial proceedings; (12) accompanying victims during trial; (13) coordinating with investigators and prosecutors on developments in the judicial process; and (14) liaising with prosecutors regarding the enforcement of judicial decisions.

Empirical data on the provision of legal aid in 2023 demonstrate that, within a six-month period, the UPT PPA (Women and Child Protection Unit) rendered legal assistance in 18 cases of violence against women and children, encompassing domestic violence, sexual violence against children, and cases involving victims with disabilities. The data reveal that perpetrators were frequently individuals close to victims, including family members, relatives, or neighbors. This represents a deeply alarming phenomenon affecting the community of Pasuruan Regency. In such instances, legal assistance is indispensable to ensure the protection of victims' rights in conformity with constitutional mandates.

The delivery of legal aid services through the UPTD PPA, whether in Pasuruan Regency or other jurisdictions, must be optimized. The designation of legal aid teams tasked with implementing advocacy for victims of sexual violence under state facilitation must be based upon the competence, expertise, and professionalism of the advocates involved. It is therefore imperative for DP3AKB in all regencies and municipalities to select partners possessing sufficient expertise and experience in handling cases of sexual violence. Legal assistance must be provided continuously until cases are concluded, accompanied by case monitoring to guarantee that perpetrators are held accountable and to prevent recidivism. Moreover, the establishment of safe houses in each district or municipality must be prioritized, such that UPTD PPA functions not only as a reporting and complaint mechanism but also as a refuge for victims, particularly where the perpetrator resides within the same household as the victim.

## CONCLUSION

Advocacy for victims of sexual violence constitutes an effort to provide legal protection through established legal aid mechanisms. Advocacy is not a revolution; rather, the discretion of advocates in achieving the fulfillment of victims' rights serves as the key determinant of the success of legal protection for victims. While advocacy techniques may generally be applied in the provision of legal aid, in the context of sexual violence cases, advocates must prioritize the principles of victim-centered handling, the best interests of the victim, and the fulfillment of the victim's rights as guaranteed by law. Accordingly, the art of advocacy in the provision of legal aid for victims of sexual violence must be adapted to the particular service needs of the victim, in conformity with the results of a victim-centered assessment. Advocates are not permitted to impose their own arguments but must act with the knowledge and consent of the victim. Moreover, advocates are obliged to foster understanding and create conditions that empower victims to resolve their problems independently.

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## REFERENCES

- Fauziah, Lubis. (2020). Bunga Rampai Hukum Keadvokatan. Medan : CV Manhaji Medan.
- Sulatri, Kristina. (2023). *Buku Ajar Perlindungan Hukum Terhadap Anak dalam Sistem Peradilan Pidana Anak*. Malang : CV. Literasi Nusantara
- Winarno, R, dkk. (2020) Pengantar Ilmu Hukum. Malang : Intelegensia Media
- Peraturan Perundang-Undangan**
- Undang-Undang Dasar Negara Republik Indonesia tahun 1945
- Undang-Undang Nomor 8 Tahun 1981 tentang Hukum Acara Pidana
- Undang-Undang Nomor 18 tahun 2003 tentang Advokat
- Undang-Undang Nomor 16 Tahun 2011 tentang Bantuan Hukum
- Undang-Undang No. 35 Tahun 2014 tentang Perubahan Atas Undang-undang No 23 Tahun 2002 tentang Perlindungan Anak.
- Undang-Undang No. 8 Tahun 2016 tentang Penyandang Disabilitas.
- Undang-Undang Republik Indonesia Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual
- Undang-Undang Republik Indonesia Nomor 23 Tahun 2002 tentang Perlindungan Anak sebagaimana diubah dengan Undang-Undang Republik Indonesia Nomor 35 Tahun 2024 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak;
- Peraturan Pemerintah Nomor 30 Tahun 2025 tentang Pencegahan Tindak Pidana Kekerasan Seksual, serta Penanganan, Perlindungan dan Pemulihan Korban Tindak Pidana Kekerasan Seksual
- Peraturan Presiden Nomor 7 Tahun 2023 tentang Perubahan Atas Peraturan Presiden Nomor 65 Tahun 2020 tentang Kementerian Pemberdayaan Perempuan dan Perlindungan Anak
- Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 63 Tahun 2016 Perubahan atas Peraturan Menteri Hukum dan Hak Asasi Manusia Nomor 10 Tahun 2015 tentang Peraturan Pelaksanaan Peraturan Pemerintah Nomor 42 Tahun 2013 tentang Syarat dan Tata Cara Pemberian Bantuan Hukum dan Penyaluran Dana Bantuan Hukum
- Peraturan Mahkamah Agung No. 3 Tahun 2017 tentang Pedoman Mengadili Perempuan Berhadapan dengan Hukum.
- Undang-Undang Republik Indonesia Nomor 23 Tahun 2002 tentang Perlindungan Anak sebagaimana diubah dengan Undang-Undang Republik Indonesia Nomor 35 Tahun 2024 tentang Perubahan atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak;
- Al-Karimah, D, dkk. (2023). Perlindungan Hukum Terhadap Anak Korban Kejahatan Seksual Oleh Homoseksual Dalam Perspektif Perlindungan Anak. *Yurijaya Jurnal Ilmiah Hukum*, 5(3), 71-78.
- Chilmiati. (2020). Kebijakan advokasi terhadap perempuan dan anak berbasis Perlindungan korban kekerasan. *LAW REFORM*, 9(2), 120.

- Gayo, Ahyar Ari. (2020). Optimalisasi Pelayanan Bantuan Hukum Bagi Masyarakat Miskin. *Jurnal Penelitian Hukum De Jure*. 20.
- Hariyanto, Hariyanto. (2017). Peran LBH Kampus di PTKIN dalam Bantuan Hukum terhadap Masyarakat Miskin. *Al-'Adl* 10(1).
- Kusumawati, Mustika Prabaningrum. (2016). Peranan dan Kedudukan Lembaga Bantuan Hukum sebagai Access to Justice bagi Orang Miskin. *Arena Hukum* 9(2).
- Rahmat, Diding, Gios Adhyaksa, and Anthon Fathanudien. (2021). Bantuan Hukum dan Perlindungan Hukum terhadap Perempuan dan Anak di Indonesia. *Empowerment: Jurnal Pengabdian Masyarakat*, 4(02).
- Sinaga, H. (2024). Advokasi Hukum sebagai Seni Hukum. *Innov. J. Soc. Sci. Res.*, 4, 5817-5829.
- Ariesta, Wiwin. Dkk. (2023), *Pemberian Bantuan Hukum Pada Pos Bantuan Hukum Unit Pelayanan Terpadu Perlindungan Perempuan Dan Anak (UPTD PPA) Pada Dinas Pemberdayaan Perempuan, Perlindungan Anak, Pengendalian Penduduk Dan Keluarga Berencana (DP3AP32KB) Kabupaten Pasuruan Tahun 2023*, Laporan Pengabdian Masyarakat. Jawa Timur : Pasuruan.
- Ariesta, Wiwin. Dkk. (2024), *Pendampingan Hukum Korban Kekerasan Seksual Perempuan Dan Anak Di Wilayah Kabupaten Pasuruan Tahun 2024*, Laporan Pengabdian Masyarakat. Jawa Timur : Pasuruan.
- Jimly Asshiddiqie. (2024:Desember). Penegakan hukum. Retrieved Dec 24, 2019, from AcehTrend [https://jimly.com/makalah/namafile/56/Penegakan\\_Hukum](https://jimly.com/makalah/namafile/56/Penegakan_Hukum)