

---

**Assistance in Online Sexual Violence Cases for Women at SPEK-HAM Solo**

---

Denny Hartanto<sup>1</sup>, Marisa Kurnianingsih<sup>2</sup>, Yoesoef Moestofa<sup>3</sup><sup>1</sup> Fakultas Hukum Universitas Muhammadiyah Surakarta ([C100190327@student.ums.ac.id](mailto:C100190327@student.ums.ac.id))<sup>2</sup> Fakultas Hukum Universitas Muhammadiyah Surakarta ([mk122@ums.ac.id](mailto:mk122@ums.ac.id))<sup>3</sup> Fakultas Hukum Universitas Muhammadiyah Surakarta ([ym120@ums.ac.id](mailto:ym120@ums.ac.id))

---

**ABSTRACT**

The purpose of this writing is to find out how to assist and what obstacles there are when assisting victims of online sexual violence at SPEK HAM Solo. It is hoped that this research can increase awareness of victims of violence to report perpetrators to the authorities and provide a deterrent effect for perpetrators so that they do not misuse the internet as a medium for sexual violence against women. Violence against women is a very serious and concerning problem in society. Violence can be physical, sexual, emotional, economic, and so on. This research uses empirical legal research methods or field research to collect empirical data directly from the field. This research is juridical-empirical and field type, where the author conducts research directly at the location to collect data. This research is a type of empirical research because it describes in detail and in depth a situation or phenomenon of the research object by developing concepts and collecting existing data. Data analysis in this research uses qualitative methods by collecting, grouping and selecting data from field studies and literature studies. Data is processed and compiled to draw conclusions in accordance with regulations, theories, principles and legal rules. Online sexual violence experienced by women in the city of Solo is a complex problem.

**Keywords:** Internet, Online Sexual Violence, Ham Specs.

**INTRODUCTION**

Every citizen has the same rights in the legal field, including human rights (HAM) in accordance with Pancasila and the 1945 Constitution as the legal basis of the Indonesian state. Human rights relate to both individual rights and community rights.<sup>1</sup> Violence against women is a very serious and concerning problem in society. Violence can be physical, sexual, emotional, economic, and so on. Violence against women often occurs undetected and unreported because of social stigma which assumes that women who are victims of violence are weak and do not have the right to report the incident.

Based on data taken from the Central Java Central Statistics Agency, from 2020 to 2021 violence against women over 18 years has decreased, namely from 21 cases to 15 cases of violence against women.<sup>2</sup> This is in line with the statement that there was a decrease in case complaints in Central Java, which was allegedly because complaints shifted from offline to online due to the pandemic.

This happens because almost all work is done online. The internet as a general and broad service medium provides many conveniences for humans, but often the internet has negative impacts due to human limitations in controlling internet use or users' lack of understanding of the protection of their personal data. This provokes the desire of perpetrators of sexual harassment to carry out their actions by breaking into the victim's personal data in the form of contacts, photos, videos and GPS on the victim's smartphone which can enable the perpetrator to know all of the victim's activities.

Online sexual violence against women refers to any form of sexual abuse, harassment, or

---

<sup>1</sup> Natangsa Surbakti, 2012, Filsafat Hukum Perkembangan Pemikiran dan Relevansinya dengan Reformasi Hukum Indonesia, Surakarta: BP-FKIP UMS, hal.143.

<sup>2</sup> Data Badan Pusat Statistika Jawa Tengah, Jumlah Perempuan (Usia 18+) Korban Kekerasan Menurut Kabupaten/Kota di Provinsi Jawa Tengah (Jiwa), 2021

exploitation that occurs through digital platforms such as social media, messaging apps, or email.<sup>3</sup>This can include non-consensual intimate images or videos, online stalking, and unwanted sexual advances.<sup>4</sup>

Cases of online sexual violence against women are a serious problem that requires attention and action. Online sexual violence can have a greater impact on women's mental health than physical violence.<sup>5</sup>Online sexual violence can have a significant impact on women's mental and emotional health. Research shows that victims of sexual violence can experience depression, anxiety, and trauma.<sup>6</sup>It is important to recognize the impact of online sexual violence on women's mental and emotional well-being and take steps to provide support and resources to those affected.

Violence against women in Solo is handled by several elements in society, one of which is SPEK-HAM Solo. The establishment of SPEK-HAM Solo has the aim of changing the social order into a society of equality and dignity. Apart from that, activities at SPEK HAM Solo provide assistance to victims of gender-based violence and guidance to provide learning and prevent violence from occurring.

Referring to this background, the author will raise the research title regarding "**Assistance in Online Sexual Violence Cases for Women at Solo Human Rights Species**".

**Formulation of the problem** in this research journal is to analyze the following problems:

1. How is there assistance in cases of online sexual violence experienced by women, especially in the city of Solo - Central Java?
2. What are the obstacles experienced in resolving cases of online sexual violence experienced by women, especially in the city of Solo - Central Java?

## RESEARCH METHODS

Legal research is an activity carried out to solve the legal problems faced, so it requires the ability to identify legal problems, carry out legal reasoning, and analyze the problems faced and then provide problem solutions to the legal problems faced.<sup>7</sup>The legal research method is a systematic way of conducting research.

The approach method used in this research is the empirical legal research method. Empirical legal research is usually also called field research, which is a type of research that is oriented towards collecting empirical data in the field. Apart from that, this research is of an empirical juridical nature with a type of field research, namely the author conducts research directly to the location to collect and obtain data.<sup>8</sup>This research is a type of empirical research because in this research the researcher has described in detail and in depth a situation or phenomenon of the research object being studied by developing concepts and collecting existing data.

Meanwhile, data analysis uses qualitative methods by using, grouping and selecting data obtained from field studies, then connecting it with regulations, theories, principles and legal rules obtained from literature studies. The data obtained is then processed and compiled so that conclusions can then be drawn.<sup>9</sup>

<sup>3</sup> Ellen Kusuma dan Nenden Sekar Arum, "Memahami dan Menyikapi Kekerasan Berbasis Gender Online", Panduan Materi, SAFEnet, 2019

<sup>4</sup> Kekerasan seksual di internet meningkat selama pandemi ....<https://law.ui.ac.id/kekerasan-seksual-di-internet-meningkat-selama-pandemi-dan-sasar-anak-muda-kenali-bentuknya-dan-apa-yang-bisa-dilakukan-oleh-lidwina-inge-nurtjahyo/> Diakses 2023-03-31

<sup>5</sup> REPRESENTASI DAMPAK KEKERASAN SEKSUAL ....<https://jurnal2.isi-dps.ac.id/index.php/retina/article/download/1142/599> Diakses 2023-03-31

<sup>6</sup> Dampak Psikologis dan Upaya Penanggulangan Kekerasan ....<https://ejurnal.seminar-id.com/index.php/tin/article/download/394/284> Diakses 2023-03-31

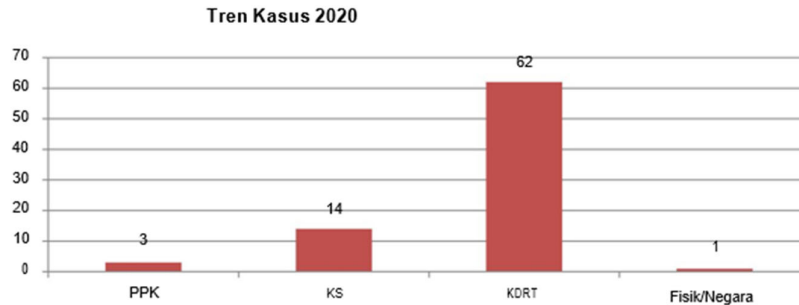
<sup>7</sup> Peter Mahmud Marzuki, *Penelitian Hukum (Edisi Revisi)*, Jakarta: Kencana Group, 2021, Hal 60

<sup>8</sup> Mukti Fajar ND dan Yulianto Achmad, *Dualisme Penelitian Hukum Normatif dan Hukum Empiris*, (Yogyakarta: Pustaka Pelajar, 2010), h. 34.

<sup>9</sup> Lexy J. Moelong, *Metodologi Penelitian Kualitatif* (Bandung: PT.Remaja Rosdakarya, 2009), hlm 135.

**RESULTS AND DISCUSSION**

**1. A. Assistance with cases of online sexual violence experienced by women, especially in the city of Solo - Central Java**



In 2020, cases of violence accompanied by SPEK-HAM during 2019 to 2020 above can be seen that cases of violence still occur every year which proves that law enforcement has not been working well because it cannot overcome crime.

Based on data for 2022 - 2023 obtained through SPEK-HAM Solo City, there has been a decrease in cases of sexual violence against women committed online. In its resolution, SPEK-HAM prioritizes the will of the victim in taking every step to bring the perpetrator to justice. This is done as an effort to protect the victim which will have an impact on the victim's psychology and survival.

From data obtained through SPEK-HAM, from 2022 to March 2023 there were 3 reported cases of sexual violence against women committed online, namely as follows:

No	Perpetrator	Victim	Case	Social media
1	S	RS	RS, as the victim, often gets messages from S who apparently likes him. S scares RS that S can find out where RS is only through the cellphone that RS uses. RS blocked S's number. Until one day, RS met a man who deliberately grabbed her breasts. Then, RS received a message which turned out to be from S, saying that S was the man who had passed RS earlier.	WA
2	DS	IM	IM as the victim was caught in a loan. DS as a debt collector wants to collect IM's debt. However, instead of charging according to the existing provisions, DS hacked IM's personal data which contained his exciting video and threatened to distribute it to embarrass IM.	Pinjol - WA
3	SJ	RN	RN is a widow who is in a relationship with SJ whom she met through the Facebook platform. The relationship between the two did not run smoothly because SJ blackmailed RN in the form of credits up to a certain amount of money and threatened to distribute RN's exciting videos if RN did not follow SJ's wishes. The video was initially requested by SJ as a sign of RN's seriousness towards him, which resulted in it being used as a tool for blackmail by SJ	FB

In the first case, the hospital as the victim made a report to the nearest police station, who was then advised to make a complaint to SPEK-HAM. After consultation and assistance from SPEK-HAM, the police have obtained the identity of the perpetrator, namely S. The perpetrator apologized so that he would not continue with further legal proceedings. However, decision making is completely in the hands of the victim, namely the hospital. After going through the mediation process, the victim decided not to continue the legal process on condition that he make a valid agreement so that S would stay away and never disturb the hospital again.

S's action of intentionally hacking a cell phone belonging to the hospital can be subject to criminal sanctions in accordance with the provisions contained in Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE). The article related to hacking or accessing electronic systems without permission is Article 30 jo. Article 46 of the ITE Law states that any person who intentionally and without authorization accesses or controls all or part of another person's electronic system, including the electronic data contained therein, may be subject to a crime with a maximum penalty of 12 years in prison and/or a fine. maximum IDR 12 billion.

In the second case, IM was caught in an online loan and received threats to spread an exciting video. He decided to make a complaint to SPEK-HAM. At first, IM's case was unknown to her husband, but after going through a consultation session with SPEK-HAM, IM decided to tell her husband about what had happened to her. After IM's husband found out about this, he asked the family to resolve the case independently. Still with SPEK-HAM's assistance, IM's husband tried to contact DS by telephone to mediate. In the end, the mediation produced results, namely that IM's husband would pay all of IM's debts and DS as the debt collector apologized and would not continue his threat.

Hacking carried out by debt collectors on debt owners is a serious legal violation that can be subject to criminal sanctions. In this case, the hack carried out by DS as a debt collector aimed to obtain personal data from debt owners in an illegal way and without permission.<sup>10</sup> DS may be subject to provisions in Law Number 10 of 1998 concerning Amendments to Law Number 8 of 1999 concerning Consumer Protection (Consumer Protection Law). In the Consumer Protection Law, perpetrators who commit unlawful acts, abuse their authority, or use unreasonable threats in order to collect receivables can be subject to criminal sanctions.

In this case, the perpetrator hacked the victim's personal data and threatened to distribute the victim's exciting video.<sup>11</sup> This action may be subject to criminal sanctions based on the provisions of Article 27 paragraph (3) jo. Article 45 paragraph (3) of the ITE Law and Article 4 paragraph (1) jo. Article 32 paragraph (1) of the ITE Law<sup>12</sup>. Apart from that, if the perpetrator also makes threats, then the perpetrator can also be subject to criminal sanctions based on the provisions of Article 27 paragraph (1) jo. Article 45 paragraph (1) of the ITE Law.<sup>13</sup>

In the third case, RN was a widowed housewife who complained to SPEK-HAM without her children knowing. After going through a consultation session with SPEK-HAM, RN decided to tell her child what happened to her. Until in the end, the full solution was taken over by the RN's children to complete.

---

<sup>10</sup> Muhammad Hasan Rumulus dan Hanif Hartadi, Kebijakan Penanggulangan Pencurian Data Pribadi Dalam Media Elektronik, Jurnal HAM, Vol.11, No.2 (Agustus 2020)

<sup>11</sup> Maidina Rahmawati dan Nabillah Saputri, Jauh Panggang dari Api: Menilik Kerangka Hukum Kekerasan Berbasis Gender Online di Indonesia, Southeast Asia Freedom of Expression Network, Jakarta, 2022,

<sup>12</sup> Indonesia (2), Undang-Undang tentang Pornografi, UU No.44 Tahun 2008, LN Tahun 2008 No.181, TLN No.4928, Penjelasan Ps. 4 ayat (1) dan Ps.6

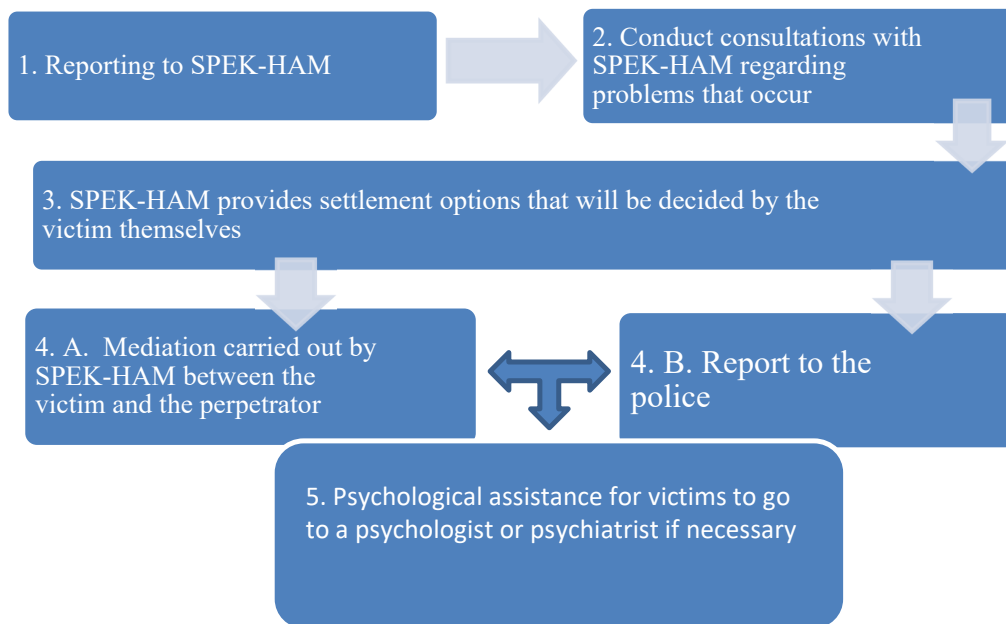
<sup>13</sup> Ni Putu Winny Arisanti, dkk., Pertanggungjawaban Pidana Pelaku Revenge Porn (Pornografi Balas Dendam) Menurut Hukum Positif Indonesia, Jurnal Kertha Desa, Vol.9, No.5

Faizah, A. F., & Hariri, M. R. (2022). Pelindungan Hukum terhadap Korban Revenge Porn sebagai Bentuk Kekerasan Berbasis Gender Online Ditinjau dari Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual. *Jurnal Hukum Lex Generalis*, 3(7), 520–541

Perpetrators who threaten to disseminate exciting videos belonging to victims and carry out blackmail can be subject to criminal sanctions in accordance with Article 27 paragraph (1) of the ITE Law which states that every person who intentionally and without right distributes and/or transmits and/or makes accessible electronic information and /or electronic documents that contain content that violates decency can be subject to imprisonment for a maximum of 6 years and/or a fine of a maximum of IDR 1 billion. Apart from that, acts of extortion carried out by the perpetrator can also be subject to criminal sanctions in accordance with Article 368 of the Criminal Code (KUHP). Article 368 of the Criminal Code states that anyone who, by force or threat of violence, forces another person to give something that is not a debt can be subject to a maximum prison sentence of 9 years.

In these three cases, the perpetrators threatened and even extorted the victims. These threats relate to the hacking of the victim's personal data without the victim's knowledge, which is then threatened to be disseminated widely. Of course, this makes the victim feel threatened and afraid because the data relates to the victim's personal sexual domain.

To obtain SPEK-HAM assistance, victims of sexual violence can make a complaint using the following stages:<sup>14</sup>



In accordance with the chart above, it can be explained that SPEK-HAM has the following mentoring flow:

1. Stage 1

In stage 1, the victim comes to SPEK HAM to report the case they experienced by bringing their KTP or family card. At this stage the victim comes to the SPEK-HAM office to tell about the case.

2. Stage 2

After the victim told the chronology of the events experienced by the SPEK-HAM victim, the victim consulted with SPEK-HAM to discuss what steps were taken by SPEK-HAM in handling the victim.

3. Stage 3

At stage 3, SPEK-HAM explains the continuation of the crime experienced by the victim, and gives the victim the choice of whether the case will be mediated with the perpetrator or proceed to legal action or report it to the authorities.

<sup>14</sup> wawancara

4. Stage 4A

SPEK-HAM carried out mediation by bringing together the perpetrator and the victim. In this way, SPEK-HAM assisted the victim and conveyed what the victim wanted, thereby finding a middle ground between the victim and the perpetrator.

5. Stage 4B

SPEK-HAM itself provides direct assistance to victims to report to the authorities, until the case is resolved or the report is even withdrawn by the victim for certain reasons.

6. Stage 5

At this stage, SPEK-HAM provides psychologists or psychiatrists to improve the mental health of victims and eliminate trauma from victims so as to anticipate depression or even more dangerous things such as suicide.

**2. Obstacles experienced in resolving cases at SPEK HAM Solo**

Online sexual violence experienced by women in the city of Solo is a complex problem. Even though there are laws that provide protection for women who experience violence, there are still many obstacles in resolving cases of sexual violence against women in Solo City which trigger obstacles in providing protection and justice for victims. Some of these obstacles consist of internal obstacles and external obstacles, including:<sup>15</sup>

1. External Barriers

- a. Low public awareness. Related to sexual violence, including in the city of Solo. This creates obstacles in providing support and assistance to victims, because often victims do not report cases of sexual violence they experience because they feel embarrassed, afraid of being judged, or don't know what to do.
- b. Lack of access to Health and Legal Services, including the lack of integrated service centers, is also an obstacle for victims to obtain needed medical or legal treatment. This causes victims not to have access to adequate health and legal services.
- c. The patriarchal culture that is still strong among society can become an obstacle because victims are often considered guilty and even punished socially, while perpetrators can escape punishment or be considered victims. This cannot be separated from the factor of low public awareness of incidents of sexual violence which can affect all women from various backgrounds.
- d. Lack of role of government and law enforcement agencies in providing protection and justice for victims of sexual violence. Several influencing factors include the lack of available budget and human resources, as well as the low quality of services provided.<sup>16</sup>

2. Internal Barriers

- a. SPEK-HAM has limited resources to handle cases of online sexual violence.  
 Within SPEK HAM itself there are obstacles to handling cases that occur, especially the lack of human resources to provide assistance to victims, because the members of SPEK HAM itself are limited and solve so many problems.
- b. Lack of information regarding clear procedures or guidelines regarding handling cases of online sexual violence at SPEK-HAM  
 In handling cases that occurred at SPEK HAM
- c. Victims who decide to make peace through mediation will have less of a deterrent effect on the perpetrator.  
 Often obstacles occur in SPEK HAM itself in the form of victims who are unwilling to report the case to the authorities in order to provide a deterrent effect to the perpetrator. More

<sup>15</sup> Wijayanti. A.D. (2019). Kekerasan seksual terhadap perempuan di Kota Solo: Kajian Sosiologis terhadap faktor-faktor penyebab dan dampaknya. *Jurnal Sosiologi Dilema*, 29(2), 99-109

<sup>16</sup> Maidina Rahmawati dan Nabillah Saputri, *Jauh Panggang dari Api: Menilik Kerangka Hukum Kekerasan Berbasis Gender Online di Indonesia*, Southeast Asia Freedom of Expression Network, Jakarta, 2022



victims resolve the case through mediation or even after counseling with a team of victim psychiatrists at SPEK HAM.

### CONCLUSION

Cases of sexual violence against women committed online increased during the Covid pandemic as a result of the transition from offline to online.<sup>17</sup> However, after entering the epidemic period and the recovery of cases increasingly decreased. One of the data obtained from SPEK-HAM Solo stated that the latest data from 2022 to March 2023 contained three cases that could be resolved through mediation either from SPEK-HAM or the victim's family which ended peacefully. Cases of sexual violence experienced by women online in the city of Solo are still a quite serious problem. Several factors that caused this case include a lack of awareness and legal protection for victims, as well as a lack of proper and professional handling of cases.

Assistance efforts include providing access to information and psychological support to victims, as well as providing training and education to the community regarding acts of sexual violence and how to handle them. For each report received, SPEK-HAM will consult with the victim in an effort to further examine what happened. After the consultation, SPEK-HAM will provide assistance to the victim. SPEK-HAM will seek justice for the victims. Victims will be given the opportunity to determine what steps will be taken to bring the perpetrator to justice. Generally, SPEK-HAM will provide several options for actions that can be taken and their consequences for the victim, such as reporting to the authorities, namely the police or mediation to make peace.

This is done to respect the rights of the victim as the injured party. But on the other hand, this is an obstacle because victims are rarely willing to prosecute perpetrators through the realm of law. Generally, cases will be resolved through mediation and reconciliation. Even so, SPEK-HAM still respects the victims' decisions and will continue to provide other assistance if necessary, for example assistance with consultations with psychologists or psychiatrists.

However, in resolving online sexual violence cases in the city of Solo, there are several obstacles faced, such as a lack of public awareness and participation in dealing with these problems, a lack of trust in the legal system and case handling, and a lack of resources and support from the government and related institutions. .

It is hoped that this research analysis will be able to increase awareness for victims to have the courage to reject the perpetrators of violence and be willing to report to the relevant authorities. This aims to provide a deterrent effect for perpetrators out there so that they do not abuse the convenience of the internet as a medium for sexual violence against women.

### REFERENCES

1. Surbakti, Natangsa. 2012. Filsafat Hukum Perkembangan Pemikiran dan Relevansinya dengan Reformasi Hukum Indonesia. Surakarta: BP-FKIP UMS.
2. Saraswati, 2006 Hak Asasi Manusia: Teori Hukum dan Kasus, Filsafat UI Press, Jakarta.
3. The Synergy Of Case Handling Services To Hack Violence Against Women, (Annual Record 2021), SPEK-HAM.
4. Data Badan Pusat Statistika Jawa Tengah, Jumlah Perempuan (Usia 18+) Korban Kekerasan Menurut Kabupaten/Kota di Provinsi Jawa Tengah (Jiwa), 2021.
5. Faizah, A. F., & Hariri, M. R. (2022). Pelindungan Hukum terhadap Korban Revenge Porn sebagai Bentuk Kekerasan Berbasis Gender Online Ditinjau dari Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual. *Jurnal Hukum Lex Generalis*, 3(7), 520–541.
6. Indonesia (2), Undang-Undang tentang Pornografi, UU No.44 Tahun 2008, LN Tahun 2008 No.181,

<sup>17</sup>Noviyanti Soleman, Kekerasan Berbasis Gender Online Selama Pandemi COVID-19 di Indonesia, Al-Wardah, Vol.15, No.1 (Juni 2021)

- TLN No.4928, Penjelasan Ps. 4 ayat (1) dan Ps.6.
7. Moelong, Lexy J. Metodologi Penelitian Kualitatif. Bandung: PT.Remaja Rosdakarya, 2009.
  8. Marzuki, Peter Mahmud. Penelitian Hukum (Edisi Revisi). 16th ed. Jakarta: Kencana, 2021.
  9. Kusuma Ellen dan Nenden Sekar Arum, "Memahami dan Menyikapi Kekerasan Berbasis Gender Online", Panduan Materi, SAFEnet, 2019.
  10. Muhammad Hasan Rumulus dan Hanif Hartadi (2020), Kebijakan Penanggulangan Pencurian Data Pribadi Dalam Media Elektronik, Jurnal HAM, Vol.11, No.2.
  11. Maidina Rahmawati dan Nabillah Saputri, Jauh Panggang dari Api: Menilik Kerangka Hukum Kekerasan Berbasis Gender Online di Indonesia, Southeast Asia Freedom of Expression Network, Jakarta, 2022.
  12. Ni Putu Winny Arisanti, dkk., Pertanggungjawaban Pidana Pelaku Revenge Porn (Pornografi Balas Dendam) Menurut Hukum Positif Indonesia, Jurnal Kertha Desa, Vol.9, No.5.
  13. Noviyanti Soleman, Kekerasan Berbasis Gender Online Selama Pandemi COVID-19 di Indonesia, Al-Wardah, Vol.15, No.1 (Juni 2021).
  14. Soekanto Soejono dan Sri Mamudji, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, Jakarta: PT. Raja Grafindo Persada, 2003.
  15. SPEKHAM Solo. (2021). Laporan Tahunan SPEKHAM Solo 2020.
  16. Wijayanti. A.D. (2019). Kekerasan seksual terhadap perempuan di Kota Solo: Kajian Sosiologis terhadap faktor-faktor penyebab dan dampaknya. Jurnal Sosiologi Dilema, 29(2), 99-109.
  17. Kekerasan seksual di internet meningkat selama pandemi dalam <https://law.ui.ac.id/kekerasan-seksual-di-internet-meningkat-selama-pandemi-dan-sasar-anak-muda-kenali-bentuknya-dan-apa-yang-bisa-dilakukan-oleh-lidwina-inge-nurtjahyo/> Diakses pada 30 Maret 2023.
  18. Mukti Fajar ND dan Yulianto Achmad, *Dualisme Penelitian Hukum Normatif dan Hukum Empiris*, (Yogyakarta: Pustaka Pelajar, 2010), h. 34.
  19. Representasi Dampak Kekerasan Seksual dalam <https://jurnal2.isi-dps.ac.id/index.php/retina/article/download/1142/599> Diakses pada 30 Maret 2023.
  20. Dampak Psikologis dan Upaya Penanggulangan Kekerasan dalam <https://ejurnal.seminar-id.com/index.php/tin/article/download/394/284> Diakses Diakses pada 31 Maret 2023.