

PERSONS WITH DISABILITIES AND LEGAL AID AS A FORM OF PROTECTIONKuswardani¹, Kiki Samudera²¹Fakultas Hukum, Universitas Muhammadiyah Surakarta (kuswardani284@ums.ac.id)²Fakultas Hukum, Universitas Muhammadiyah Surakarta (syankiki22@gmail.com)**ABSTRACT**

Discriminatory treatment of people with disabilities occurs in various fields, one effort to eliminate this treatment is to involve the legal profession by providing legal services in the form of assistance, help or support. The legal services provided should be in accordance with the provisions of the law on persons with disabilities. This research uses empirical legal research sourced from observations, literature studies and interviews. The data used in this research is primary and secondary data which shows that there are various problems in the law enforcement process, especially those related to disabilities in dealing with the law, so there needs to be commitment from both the duty bearer, the legal profession and the community.

Keywords: 1; Legal assistance for disabilities 2; Disability in conflict with the law 3 Discrimination against disability.

INTRODUCTION

Each individual's ability to deal with the law is certainly different, therefore the legal profession needs to participate in understanding and using the law to ensure the fulfillment of everyone's rights in order to fulfill justice.¹The role of the legal profession in question is assistance, assistance or support in the form of legal services by advocates (probono), lecturers, students, paralegals, volunteer assistants, social workers, friends of victim witnesses free of charge or voluntarily.²Legal aid, assistance or support is intended for everyone, including individuals and groups of people who have physical or mental intellectual limitations, namely persons with disabilities or people with disabilities..³

As fellow citizens with the same constitutional rights, guaranteed respect, protection and the same human rights, people with disabilities should receive equal treatment before the law without any discrimination, like society in general.⁴For sakeTo achieve justice and guarantee these rights, efforts have been made to synchronize elements of the applicable legal system as a form of implementation of stakeholder obligations and responsibilities.⁵ This system is not only limited to the substance, entity or legal culture, even its legal products are in accordance with the norms of the International Covenant on Civil and Political Rights; European Convention on Human Rights; Universal Declaration of Human Rights;

¹ Itasari, Endah Rantau. 2020. Perlindungan Hukum Terhadap Penyandang Disabilitas Di Kalimantan Barat, *Journal.Unnes.ac.id*, 32(1), 70-82.

² Ni'mah, E. M., & Rusdiana, E. (2022). Perlindungan hukum perempuan penyandang disabilitas intelektual korban perbudakan seksual oleh legal resource center untuk keadilan jender dan hak asasi manusia (LRC-KJHAM). *NOVUM: JURNAL HUKUM*, 1(1), 136-148.

³ Sari, R. (2022). Perlindungan hukum bagi tenaga kerja penyandang disabilitas untuk mendapat kesempatan kerja berdasarkan Undang-Undang Nomor 08 TAHUN 2016 tentang penyandang disabilitas. *Journal of Law (Jurnal Ilmu Hukum)*, 8(1), 86-100.

⁴ Nasir, S. A., & Jayadi, A. (2021). Penerapan hak aksesibilitas bagi penyandang disabilitas perspektif hukum positif dan hukum Islam di Kota Makassar. *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab dan Hukum*, 2(1), 187-197.

⁵ Ndaumanu, F. (2020). Hak penyandang disabilitas: Antara tanggung jawab dan pelaksanaan oleh pemerintah daerah. *Jurnal Ham*, 11(1), 131-150.

International Covenant on Economic, Social and Cultural Rights; and The United Nations Convention on the Rights of Persons with Disabilities as well as other international conventions⁶ and of course in line with the principles of interdependence, indivisibility and interrelated rights.⁷

In Indonesia, the laws governing the human rights of persons with disabilities, whether in the 1945 constitution, statutory regulations, government regulations, presidential regulations, or regional regulations, have no other aim than to achieve order and justice for both individuals and community groups as right holders.⁸ These rights include the right to receive equal treatment before the law, recognition as a legal subject, owning and inheriting property, appointing a representative or proxy inside or outside the court, getting access to services both banking and non-banking, getting accessibility to judicial services, protection from all pressure, violence, persecution, discrimination, or expropriation of property rights and protected intellectual property rights.⁹

Based on the various rights inherent in persons with disabilities, the government and regional governments are obliged to provide legal assistance for persons with disabilities in accordance with statutory provisions.¹⁰ This is mandatory because even though efforts have been made to synchronize elements of the applicable legal system, the reality that occurs in society, especially in the case of people with disabilities in dealing with the law, shows that persons with disabilities face the law, apart from bearing a heavier moral burden due to their physical limitations, most of them can still experience various forms of discrimination, including they are people with disabilities who have received legal assistance (legal aid).¹¹ This is what implicitly shows the inability to enforce fair laws for people with disabilities.

In the end, although various legal regulations have existed as a concrete effort to eliminate distinctions, exceptions, restrictions, elimination of recognition, elimination of enjoyment, elimination of implementation, fundamental freedoms in various fields and various other forms of discrimination on the basis of disability, the implementation of disabled people who are in conflict with the law still may receive discriminatory treatment.¹²

This shows an undeniable fact that regulations without implementation cannot possibly guarantee the fulfillment of justice for people with disabilities.¹³ So apart from regulation as a legal product, there is also a need for intervention and affirmative action from various parties and groups of legal activists such as legal experts, lecturers, students, advocates, paralegals, volunteer assistants, social workers, friends of victim witnesses and other civil society institutions as advocacy providers. Law in the form of legal aid to provide supervision (social control) over the laws that apply in society, so that existing legal regulations can operate as they should, realizing true justice and equal standing before the law (equality before the law).

⁶ Sari, R. (2022). Perlindungan hukum bagi tenaga kerja penyandang disabilitas untuk mendapat kesempatan kerja berdasarkan Undang-undang nomor 08 tahun 2016 tentang penyandang disabilitas. *Journal of Law (Jurnal Ilmu Hukum)*, 8(1), 86-100.

⁷ Pakpahan, Z. A., & SH, M. (2023). Human right akibat tindakan diskriminatif bagi penyandang disabilitas dalam dunia kerja. *JURNAL ILMIAH ADVOKASI*, 11(1), 29-47.

⁸ Sari, R. (2022). Perlindungan hukum bagi tenaga kerja penyandang disabilitas untuk mendapat kesempatan kerja berdasarkan undang-undang nomor 08 tahun 2016 tentang penyandang disabilitas. *Journal of Law (Jurnal Ilmu Hukum)*, 8(1), 86-100.

⁹ Sodiqin, A. (2021). Ambiguitas perlindungan hukum penyandang disabilitas dalam perundang-undangan di Indonesia. *Jurnal Legislasi Indonesia*, 18(1), 31.

¹⁰ Mauludi, F., & Pawestri, A. (2022). Pertanggung jawaban negara dalam pemenuhan hak penyandang disabilitas menurut hukum internasional. *INICIO LEGIS*, 3(1), 73-90.

¹¹ Mandini, D. D. S. (2020). Pro dan kontra Undang-undang nomor 8 tahun 2016 tentang penyandang disabilitas. *Jurnal Caraka Prabu* 4(2), 166-178.

¹² Sianipar, J. A. (2022). Analisis kebijakan pemerintah daerah dalam pemenuhan aksesibilitas penyandang disabilitas terhadap layanan moda transportasi di DKI Jakarta. *Journal of Politic and Government Studies*, 11(2), 503-520.

¹³ Laksono, H. D., Prabowo, I. H., & Budhi, A. S. (2022). Optimalisasi perlindungan konsumen perbankan berdasarkan UU No 8 tahun 1999. *Prosiding HUBISINTEK*, 2(1), 636-636.

RESEARCH METHODS

This research uses normative legal research methods with using legal principles, especially in encouraging the realization of equality for people with disabilities through a literature study approach by describing, evaluating and citing primary and secondary data that is consistent with the discussion of the research object. The author then used the existing data to carry out an in-depth analysis regarding "people with disabilities and legal assistance as a form of protection".

RESULTS AND DISCUSSION

a. Regulations on assistance for disabilities as a form of protection

Everyone has the same rights in the form of protection, justice, equality and other rights, without discriminating against or excluding people with disabilities.¹⁴ These forms of discriminatory treatment on the basis of disability should be eliminated because they are violations of human rights. This is further emphasized by the emergence of the human rights model as a perspective or approach to show that people with disabilities are truly equal human beings. Apart from that, his status as a citizen also provides obligations for him *duty holders* in ensuring respect, protection and fulfillment of human rights.¹⁵

In terms of eliminating discriminatory behavior towards people with disabilities as a guarantee for the survival of every citizen, including people with disabilities, this obligation should be implemented in the form of regulations whose implementation and enforcement are also guaranteed. This regulation can show the seriousness of the state in carrying out its obligations towards its citizens, in this case people with disabilities who have the same legal standing and human rights and as part of the grace of God Almighty, to live progressively and develop in a just and dignified manner, they should realize equal rights and opportunities for people with disabilities to achieve a life that is prosperous, independent and without discrimination.¹⁶

Currently, the preparation of new regulations is not only a step in codifying norms and values in life, but these new regulations aim to create modifications or changes so that existing rules are in line with changes in dynamics in society. Through various previous regulations, the government has attempted to provide protection in order to fulfill the rights of persons with disabilities, starting from Law no. 4 of 1997 concerning Disabled Persons, Law no. 28 of 2002 concerning Buildings; UU no. 13 of 2003 concerning Employment; UU no. 20 of 2013 concerning the National Education System; and other Laws along with Government Regulations and Ministerial Decrees that are relevant to the needs of people with disabilities, but are still partial, spread across various Ministries or Regional Apparatus Organizations (OPD). The renewal of the perspective on disability from a charity model to a social model has sparked the development of discussion topics regarding disability in the context of human rights, especially after the ratification of the CRPD, people with disabilities are no longer considered a group that should only be pitied, but must have their rights guaranteed and fulfilled. as a human.¹⁷

With the promulgation of Law No. 8 of 2016 concerning Persons with Disabilities, it is hoped that

¹⁴ Fauzi, M. N. K. (2022). Kompleksitas pemenuhan hak penyandang disabilitas yang berhadapan dengan hukum di pengadilan tinggi tanjung karang. *Inovasi Pembangunan: Jurnal Kelitbangan*, 10(03), 221-221.

¹⁵ Sipahutar, B. A. (2022). Perlindungan Hukum Terhadap Perempuan Yang Menjadi Korban Tindak Pidana Kekerasan Dalam Rumah Tangga. *Jurnal Rechten: Riset Hukum dan Hak Asasi Manusia*, 4(1), 8-12.

¹⁶ Maulidina, H. A., Gunadi, K. S., SAHARA, A. M., & MAHENDRA, T. I. (2022). Analisis perspektif jaksa dalam akses keadilan bagi penyandang disabilitas pada proses peradilan di kabupaten karanganyar. *Jurnal Ekonomi, Sosial & Humaniora*, 4(04), 114-128.

¹⁷ Ndaumanu, F. (2020). Hak penyandang disabilitas: Antara tanggung jawab dan pelaksanaan oleh pemerintah daerah. *Jurnal Ham*, 11(1), 131-150.

the rights of persons with disabilities can be fulfilled, including rights to employment, education, public facilities, as well as democratization rights as Indonesian citizens and other rights so as to eliminate discrimination. which exists. Apart from that, it is also expected There has been a paradigm shift in viewing disability from a medical (health) and charity (compassion) approach which is only treated as an object of service to a model of an approach to fulfilling human rights and involving people with disabilities as subjects who participate in planning, implementing, supervising and evaluating policies. and programs and regulations relating to all aspects of the lives of people with disabilities.¹⁸

In the foundations of our country, we recognize the dignity and dignity of every human being without any discrimination in any of its principles. As in the first principle, it is emphasized that the gifts given by God Almighty are in the form of soul, form, structure, abilities and various facilities as perfect created beings to ensure the continuation of life. Apart from that, the second precept which contains human values emphasizes that as perfect creatures created by God, dignity is recognized and all of their human rights must be respected by everyone and receive fair treatment. Besides that The general provisions contained in the 1945 Constitution in paragraph 1 state "The Republic of Indonesia, which is based on Pancasila and the 1945 Constitution of the Republic of Indonesia, respects and upholds human dignity". From the meaning of the Pancasila principles and the 1945 Constitution, Indonesia clearly upholds the human rights of every citizen, so it is natural that elements in state administration must include protection of human values, without excluding people with disabilities.¹⁹

Based on the description above, when linked to existing reality, Indonesia has quite a lot of regulations that regulate various matters regarding the accessibility of public services and facilities for people with special needs (disabilities). Various rights are given as a form of attention to those with special needs. However In the end, even though various legal regulations exist as a concrete effort to eliminate various forms of discrimination on the basis of disability, the implementation of these regulations can still experience problems in their implementation.

b. Problems in practice

The enactment of Law No. 8 of 2016 concerning Persons with Disabilities since April 15 2016²⁰ shows that the government has long been trying to fulfill disability rights, but in reality because it has not followed the implementing regulations, namely Government Regulations, it has had the impact of not guaranteeing legal certainty for people with disabilities. So it gives the bad reality that the rules contained in the articles of the Disability Law cannot be enforced. This is what allows legal loopholes to exist which can trigger individuals to make inappropriate policies which have the effect of eliminating the rights of people with disabilities.²¹

For example, in a case that went viral on Twitter social media showing a video of a disabled person using a wheelchair who was refused to board the Electric Rail Train (KRL) at Balapan Solo station, when asked further about why the disabled person was rejected, the station officer explained that he was an officer. only carry out orders from superiors and advise the disabled person to take other public transportation. Even though PT. Moreover, even though there is knowledge regarding the prohibition of discriminatory acts against people with disabilities, the public is not yet fully aware of it. Apart from this case, of course there are many other similar cases, this further emphasizes that there is no guarantee that even though the government has created various legal products, the facts show that discrimination against people with disabilities still exists. The reason for the public's ignorance of new legal products is of course contrary to the principle of legal fiction which states that "everyone is

¹⁸ Al Faruq, A. (2022). Hukum dan Ham Bagi Anak dan Disabilitas. *Al-Syakhshiyyah: Journal of Law & Family Studies*, 4(1), 12.

¹⁹ Handayani, A. R., Maliga, I., & Sholihah, N. A. (2023). Konstruksi Perlindungan Penyandang Disabilitas Mental Dalam Instrumen Hak Asasi Manusia. *Jurnal Ilmiah Mandala Education*, 9(2).

²⁰ Undang-undang Nomor 8 Tahun 2016 Tentang Penyandang disabilitas

²¹ Sirman, M. Y., & Rifai, A. T. F. (2023). Impelementasi dan Perwujudan Hak Penyandang Disabilitas dalam Pemilihan Umum. *Jurnal Pengabdian Masyarakat Hasanuddin*, 10-15.

assumed to know the law". If ignored, this can result in violations of the law by society because of rules that they may not know or want.²²

Another problem is that the reality that occurs in society, especially in cases of people with disabilities dealing with the law, shows that the law, even though they have received legal aid services, people with disabilities can still experience restrictions, obstacles, difficulties, and reduction or elimination of their rights. This can happen because legal aid service providers do not have human resources who fully understand disability cases dealing with the law and there are financial constraints if they have to facilitate specifically for people with disabilities. Apart from that, one of the various problems that makes it difficult for people with disabilities who are in conflict with the law to access justice is implementation errors. This happens because the provisions of Article 433 of the Criminal Code explain that people with disabilities are not legally competent people, this is because every adult who is always in a state of stupidity, madness or dark eyes, must be placed under guardianship, even if he is sometimes competent. use his mind. Furthermore, an adult may also be placed under custodial care for wasteful behavior.²³

Another problem found in the Civil Code, specifically in Article 1320, states that one of the conditions for an agreement is that the person is legally competent, in this case what is said to be legally competent is that he is mature and of sound mind. These two articles have great potential to weaken the status of persons with disabilities as legal subjects. Apart from that, the Criminal Procedure Code clearly only regulates the obligation to provide legal advice for those who have the status of suspects or defendants but not for victims. There is a large opportunity for multiple interpretations and interpretations, the sentences in each article emphasize that a person's disability results in the loss of a legal subject's legal capacity. Can this be interpreted simply as saying that people with disabilities in the context of dealing with the law will not receive equality before the law? Furthermore, could this be one of the reasons why cases of people with disabilities in conflict with the law are not processed? In other provisions, people with disabilities are recognized as part of vulnerable society, vulnerable to exploitation, vulnerable to becoming victims of structural violence, but in the provisions of Article 5 Paragraph 3 of Law Number 39 of 1999 concerning Human Rights (HAM)²⁴For example, the law states that every person who is a vulnerable group of society has the right to receive more treatment and protection with regard to their specific characteristics. In this law, those who are defined as vulnerable communities are the elderly, children, the poor, pregnant women and the disabled. Meanwhile Human Rights Reverence 3 categorizes vulnerable groups into Refugees, Internally Displaced Persons, National minorities, Migrant Workers, Indigenous peoples, Children and women.²⁵

Apart from the problems mentioned above, explained by Muh. Syafi'i that, there are at least 4 problems that result in the legal system in Indonesia still discriminating against people with disabilities, namely:

1. Legal substance that harms human values
2. Law enforcement officials are not progressive
3. Radiation facilities and infrastructure are not easily accessible
4. Weak legal culture

The non-progressiveness of law enforcement officials in handling disability cases is one of the factors that causes discrimination. What is meant by non-progressive here is that they are slow and

²² Rusdiyanto, R. (2021). Sosialisasi Penerapan Peraturan Pemerintah Nomor 13 Tahun 2020 tentang Akomodasi yang Layak bagi Anak Berkebutuhan Khusus Sekolah Inklusi di SDN Wirolegi 1 Kabupaten Jember. *Mujtama': Jurnal Pengabdian Masyarakat*, 1(2), 109-118.

²³ Sari, S. W. N. (2020). PENEGAKAN HUKUM PIDANA DALAM MELINDUNGI PEREMPUAN DAN ANAK PENYANDANG DISABILITAS SEBAGAI KORBAN KEJAHATAN SEKSUAL. *Jantera Hukum Borneo*, 4(1), 1-23.

²⁴ Undang-undang Nomor 39 tahun 1999 tentang Hak Asasi Manusia

²⁵ Santhi, N. N. P. P., Tololiu, Y. G., & Anggara, B. (2023). Penegakan Hukum HAM di Indonesia dalam Perspektif Paradigma Keadilan Hukum Transendental. *DOKTRINA: JOURNAL OF LAW*, 6(1), 82-103.

ignore court principles, resulting in disability cases rarely reaching the trial process and even if the case does reach the trial table, it will go through the process. which is very long, complicated and convoluted. What's even sadder is that law enforcement officials do not have a perspective on disability, considering people with disabilities as people who are not legally competent, so they do not need to get legal access, let alone access to justice. Existing facilities and infrastructure at law enforcement agencies are far from accessible for people with disabilities to get proper access, for example the existing buildings are not disabled friendly, making it difficult for people with disabilities to carry out mobility, communication is also not available for blind or deaf people to communicate. well and get documents that are friendly to them, there are no audio visual signage, guiding blocks, toilets that are difficult to access, and so on. A legal culture that does not support people with disabilities also supports legal discrimination and limited access to justice for people with disabilities. Even though people with disabilities have equality with other citizens and equality before the law and the right to obtain justice as guaranteed in the laws and regulations starting from the constitution and the regulations below.²⁶

It is an obligation to overcome various existing problems and find solutions. This is a concrete step not to participate in discrimination against people with disabilities. This solution review is carried out in accordance with the conditions and status of persons with disabilities as legal subjects, both victims, perpetrators and witnesses, by providing appropriate accommodation for persons with disabilities, such as non-discriminatory treatment, providing a sense of security and comfort, effective communication, provision of information, provision of facilities. audio visual communication, provision of inspection standards and provision of legal services. Providing adequate accommodation of course requires cooperation with various parties, in the legal field of course parties, the parties involved are the Government as policy makers, the Police, the Prosecutor's Office, the Courts, community counselors, National Human Rights Commission and so on.²⁷

The involvement of the police in handling disabilities in conflict with the law certainly takes a role at the inquiry and investigation stages, however, in order to fulfill the rights of persons with disabilities, service delivery at the inquiry and investigation stages must be in accordance with statutory regulations and disability examination standards in a non-discriminatory manner. , safe and comfortable, effective communication and providing information on the rights of people with disabilities. In this case, the police determine the type of disability, carry out a personal assessment involving doctors, sikolok, psychiatrists and other experts, determine the status of people with disabilities as witnesses, perpetrators or victims, appoint and determine companions and translators. At each stage of handling, the police are obliged to convey information regarding the progress of the investigation and investigation process to the family and/or companions as well as the person with disabilities themselves.²⁸

After examination at the inquiry and investigation stage, the case will then be transferred to the Prosecutor's Office. In handling disabilities that are in conflict with the law, the Prosecutor's Office must also provide support through concrete efforts to provide adequate accommodation for people with disabilities, namely by appointing a public prosecutor (JPU) who specifically handles disability cases, carrying out examinations according to existing mechanism standards without ignoring the status of suspects as people with disabilities. In some special cases, such as persons with disabilities as

²⁶ Fazira, A., Siregar, M., & Lubis, F. (2023). Sintegritas advokat di indonesia dalam pemberian bantuan hukum secara cuma-cuma (prodeo). *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*, 5(2), 399-405.

²⁷ Kurniawati, F. (2021). Penguatan Kebijakan Pemberdayaan Penyandang Disabilitas Tunagrahita Berbasis Kesejahteraan dan Hak Asasi Manusia (HAM) di Kabupaten Ponorogo (Doctoral dissertation, UNS (Sebelas Maret University)).

²⁸ Hasibuan, D. Z. (2022). Analisis yuridis kedudukan pendamping dan penerjemah dalam proses penyidikan tindak pidana perkosaan dengan korban difabel ditinjau dari undang-undang nomor 13 tahun 2006 tentang perlindungan saksi dan korban. *Jurnal Ilmiah METADATA*, 4(2), 57-79.

witnesses, the public prosecutor is obliged to carry out examinations by means of reconstruction to ensure completeness of the files and not neglect to convey information on the progress of the case to persons with disabilities, their families or companions. Providing accommodation must also be carried out by the Court or Judge at the time of the status of persons with disabilities as defendants (perpetrator) or witnesses and/or victims by appointing a special judge or panel of judges, checking whether at the next stage persons with disabilities have had their rights fulfilled, carrying out the judicial process based on appropriate standards. with persons with disabilities, providing information related to the rights of persons with disabilities, appointing (legal advisors, companions or translators), providing long distance audio visual facilities and providing information on case developments to persons with disabilities, their families and companions. For community counselors, the provision of appropriate accommodation for persons with disabilities is carried out by appointing a special community supervisor by the relevant institution followed by steps in conducting community research, mentoring, mentoring and supervision during the examination process at each stage.²⁹

Apart from the police, prosecutors, judges and community counselors, there is one other party who must work together to create adequate accommodation for people with disabilities, namely prison guards, both in detention centers (RUTAN) and correctional institutions (LAPAS). Without good cooperation from state officials, the efforts made by legal aid institutions and other civil society institutions as providers of legal advocacy cannot possibly be carried out well.³⁰ Apart from the government institutions above, of course it cannot be denied that community participation is still needed to provide supervision (social control) over applicable laws.

CONCLUSION AND SUGGESTION

Based on this description, it can be concluded that people with disabilities have the same rights as other normal humans which are recognized in both national and international law as part of Human Rights. Persons with disabilities have equal rights in various areas of life, including in the field of law enforcement. Persons with disabilities must be handled specifically to avoid acts of discrimination so that guarantees of legal protection for everyone can be realized.

Protection for people with disabilities in dealing with the law is one of the various rights provided by Law No. 8 of 2016 for people with disabilities, but in the context of the law in the book of course it is only limited to a concept, while its implementation really requires effort and seriousness from various parties. Without concrete efforts from various parties, legal assistance as a form of protection will certainly not be implemented optimally. Therefore, cross-structural collaborative efforts in providing legal assistance in accordance with existing legal regulations for people with disabilities in order to achieve the fulfillment of the rights of people with disabilities are very necessary.

REFERENCES

1. Itasari, Endah Rantau. 2020. Perlindungan Hukum Terhadap Penyandang Disabilitas Di Kalimantan Barat, *Journal.Unnes.ac.id*, 32(1), 70-82.
2. Ni'mah, E. M., & Rusdiana, E. (2022). Perlindungan hukum perempuan penyandang disabilitas intelektual korban perbudakan seksual oleh legal resource center untuk keadilan jender dan hak asasi manusia (LRC-KJHAM). *NOVUM: JURNAL HUKUM*, 1(1), 136-148.

²⁹ Al Fiqry, A. A., & Widowaty, Y. (2021). Analisis Terhadap Faktor Penyebab dan Perlindungan Tindak Pidana Perkosaan Terhadap Anak Penyandang Disabilitas. *Indonesian Journal of Criminal Law and Criminology (IJCLC)*, 2(2), 103-114.

³⁰ Satrio, M. A., & Wibowo, P. (2023). Pemenuhan hak narapidana khusus difabel di lapas kelas iia karawang. *Jurnal Justitia: Jurnal Ilmu Hukum dan Humaniora*, 7(4), 830-836.

3. Sari, R. (2022). Perlindungan hukum bagi tenaga kerja penyandang disabilitas untuk mendapat kesempatan kerja berdasarkan Undang-Undang Nomor 08 TAHUN 2016 tentang penyandang disabilitas. *Journal of Law (Jurnal Ilmu Hukum)*, 8(1), 86-100.
4. Nasir, S. A., & Jayadi, A. (2021). Penerapan hak aksesibilitas bagi penyandang disabilitas perspektif hukum positif dan hukum Islam di Kota Makassar. *Shautuna: Jurnal Ilmiah Mahasiswa Perbandingan Mazhab dan Hukum*, 2(1), 187-197.
5. Ndaumanu, F. (2020). Hak penyandang disabilitas: Antara tanggung jawab dan pelaksanaan oleh pemerintah daerah. *Jurnal Ham*, 11(1), 131-150.
6. Sari, R. (2022). Perlindungan hukum bagi tenaga kerja penyandang disabilitas untuk mendapat kesempatan kerja berdasarkan Undang-undang nomor 08 tahun 2016 tentang penyandang disabilitas. *Journal of Law (Jurnal Ilmu Hukum)*, 8(1), 86-100.
7. Pakpahan, Z. A., & SH, M. (2023). Human right akibat tindakan diskriminatif bagi penyandang disabilitas dalam dunia kerja. *JURNAL ILMIAH ADVOKASI*, 11(1), 29-47.
8. Sari, R. (2022). Perlindungan hukum bagi tenaga kerja penyandang disabilitas untuk mendapat kesempatan kerja berdasarkan undang-undang nomor 08 tahun 2016 tentang penyandang disabilitas. *Journal of Law (Jurnal Ilmu Hukum)*, 8(1), 86-100.
9. Sodiqin, A. (2021). Ambiguitas perlindungan hukum penyandang disabilitas dalam perundang-undangan di Indonesia. *Jurnal Legislasi Indonesia*, 18(1), 31.
10. Mauludi, F., & Pawestri, A. (2022). Pertanggung jawaban negara dalam pemenuhan hak penyandang disabilitas menurut hukum internasional. *INICIO LEGIS*, 3(1), 73-90.
11. Mandini, D. D. S. (2020). Pro dan kontra Undang-undang nomor 8 tahun 2016 tentang penyandang disabilitas. *Jurnal Caraka Prabu* 4(2), 166-178.
12. Sianipar, J. A. (2022). Analisis kebijakan pemerintah daerah dalam pemenuhan aksesibilitas penyandang disabilitas terhadap layanan moda transportasi di DKI Jakarta. *Journal of Politic and Government Studies*, 11(2), 503-520.
13. Laksono, H. D., Prabowo, I. H., & Budhi, A. S. (2022). Optimalisasi perlindungan konsumen perbankan berdasarkan UU No 8 tahun 1999. *Prosiding HUBISINTEK*, 2(1), 636-636.
14. Fauzi, M. N. K. (2022). Kompleksitas pemenuhan hak penyandang disabilitas yang berhadapan dengan hukum di pengadilan tinggi Tanjung Karang. *Inovasi Pembangunan: Jurnal Kelitbang*, 10(03), 221-221.
15. Sipahutar, B. A. (2022). Perlindungan Hukum Terhadap Perempuan Yang Menjadi Korban Tindak Pidana Kekerasan Dalam Rumah Tangga. *Jurnal Rechten: Riset Hukum dan Hak Asasi Manusia*, 4(1), 8-12.
16. Maulidina, H. A., Gunadi, K. S., SAHARA, A. M., & MAHENDRA, T. I. (2022). Analisis perspektif akses keadilan bagi penyandang disabilitas pada proses peradilan di kabupaten Karanganyar. *Jurnal Ekonomi, Sosial & Humaniora*, 4(04), 114-128.
17. Ndaumanu, F. (2020). Hak penyandang disabilitas: Antara tanggung jawab dan pelaksanaan oleh pemerintah daerah. *Jurnal Ham*, 11(1), 131-150.
18. Al Faruq, A. (2022). Hukum dan Ham Bagi Anak dan Disabilitas. *Al-Syakhsyiyah: Journal of Law & Family Studies*, 4(1), 12.
19. Handayani, A. R., Maliga, I., & Sholihah, N. A. (2023). Konstruksi Perlindungan Penyandang Disabilitas Mental Dalam Instrumen Hak Asasi Manusia. *Jurnal Ilmiah Mandala Education*, 9(2).
20. Undang-undang Nomor 8 Tahun 2016 Tentang Penyandang disabilitas
21. Sirman, M. Y., & Rifai, A. T. F. (2023). Impelementasi dan Perwujudan Hak Penyandang Disabilitas dalam Pemilihan Umum. *Jurnal Pengabdian Masyarakat Hasanuddin*, 10-15.
22. Rusdiyanto, R. (2021). Sosialisasi Penerapan Peraturan Pemerintah Nomor 13 Tahun 2020 tentang Akomodasi yang Layak bagi Anak Berkebutuhan Khusus Sekolah Inklusi di SDN Wirolegi 1 Kabupaten Jember. *Mujtama': Jurnal Pengabdian Masyarakat*, 1(2), 109-118.
23. Sari, S. W. N. (2020). PENEGAKAN HUKUM PIDANA DALAM MELINDUNGI PEREMPUAN DAN ANAK

- PENYANDANG DISABILITAS SEBAGAI KORBAN KEJAHATAN SEKSUAL. *Jantera Hukum Borneo*, 4(1), 1-23.
24. Undang-undang Nomor 39 tahun 1999 tentang Hak Asasi Manusia
 25. Santhi, N. N. P. P., Tololiu, Y. G., & Anggara, B. (2023). Penegakan Hukum HAM di Indonesia dalam Perspektif Paradigma Keadilan Hukum Transendental. *DOKTRINA: JOURNAL OF LAW*, 6(1), 82-103.
 26. Fazira, A., Siregar, M., & Lubis, F. (2023). Sintegritas advokat di indonesia dalam pemberian bantuan hukum secara cuma-cuma (prodeo). *As-Syar'i: Jurnal Bimbingan & Konseling Keluarga*, 5(2), 399-405.
 27. Kurniawati, F. (2021). Penguatan Kebijakan Pemberdayaan Penyandang Disabilitas Tunagrahita Berbasis Kesejahteraan dan Hak Asasi Manusia (HAM) di Kabupaten Ponorogo (Doctoral dissertation, UNS (Sebelas Maret University)).
 28. Hasibuan, D. Z. (2022). Analisis yuridis kedudukan pendamping dan penerjemah dalam proses penyidikan tindak pidana perkosaan dengan korban difabel ditinjau dari undang-undang nomor 13 tahun 2006 tentang perlindungan saksi dan korban. *Jurnal Ilmiah METADATA*, 4(2), 57-79.
 29. Al Fiqry, A. A., & Widowaty, Y. (2021). Analisis Terhadap Faktor Penyebab dan Perlindungan Tindak Pidana Perkosaan Terhadap Anak Penyandang Disabilitas. *Indonesian Journal of Criminal Law and Criminology (IJCLC)*, 2(2), 103-114.
 30. Satrio, M. A., & Wibowo, P. (2023). Pemenuhan hak narapidana khusus difabel di lapas kelas iia karawang. *Jurnal Justitia: Jurnal Ilmu Hukum dan Humaniora*, 7(4), 830-836.