

ABSTRACT

Musdhalifah Mitha Maharani (01051200193)

VISUM ET REPERTUM PROOF IN CRIMES OF SEXUAL VIOLENCE EXPERIENCED BY WOMEN WITH DISABILITIES

The post mortem basically has a quite important role in revealing the legal facts regarding the criminal incident experienced by the victim. In criminal acts of sexual violence against women with disabilities, post mortems play a very important role in revealing the truth that these female victims with disabilities have experienced sexual violence. analysis of legal certainty regarding post mortem evidence in criminal acts of sexual violence experienced by women with disabilities and analysis of legal responsibility for perpetrators of criminal acts of sexual violence against female victims with disabilities. The research method used is normative legal research which uses secondary data. Data collection in this research used library research techniques and analysis was carried out qualitatively. The results of the research on the first formulation of the post mortem action can be used as legal evidence in court and this is stated in Article 187 letter c of the Criminal Procedure Code. A post-mortem is a letter made by an expert, in this case a doctor, made based on an oath of office based on statutory provisions. So, with the regulation of post mortems as legal evidence in the Criminal Procedure Code, post mortems are placed as a tool to obtain legal certainty in cases of sexual violence against women with disabilities. The second problem is that perpetrators of sexual violence against women with disabilities must be subject to criminal responsibility in the form of imprisonment and/or fines based on Article 285 of the Criminal Code with a maximum prison sentence of 12 years Jo. Article 473 of Law 1/2023 (New Criminal Code) with a maximum prison sentence of 15 years accompanied by a fine that must be paid by the perpetrator.

Reference: 48 (2018-2024)

Keywords: Sexual Violence, Woman with Disabilities, Visum et Repertum