

DOMESTIC VIOLENCE COMMITTED BY WIFE TO HUSBAND

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ABSTRACT

From 2004 to 2021 Komnas Perempuan recorded 544,452 cases, and in 2022 the incoming data was 12,381 cases, with 1,903 male victims and 11,470 female victims. Indonesia has enacted Law No.23 of 2004 on the Elimination of Domestic Violence (enacted 22 September 2004). This law prohibits domestic violence against people within the scope of their households using physical, psychological, sexual violence, or domestic neglect. People within the scope of the household are husband, wife, and children, as well as people who have a family relationship due to blood, marriage, breastfeeding, parenting, guardianship, living in the household, and people who work to help and live in the household. In this case report, blunt trauma was encountered, which resulted in abrasions and swelling to the victim by the victim's wife. These injuries did not interfere with the victim's daily activities, and the perpetrator can be charged with Article 351 of the Criminal Code and the PKDRT Law.

Keywords: Blunt trauma, Domestic violence, Traumatology.

1. INTRODUCTION

In carrying out their profession as doctors, they are often asked for assistance by the National Police to carry out examinations and treatment of victims of criminal offenses. Various kinds of criminal offenses against humans are of course also committed by humans, so in this case, humans are the perpetrators and victims, and the victims may be our patients. With the enactment of the Law of the Republic of Indonesia No. IX: 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT) on 22 September 2004 which is a public law that contains threats of imprisonment or fines for those who violate it, the community, especially the head of the household, especially men, should know what domestic violence is, as well as a doctor who is also due to his duties and profession must deal with victims of Domestic Violence. (Amir A., & Hanafiah, M. Jusuf., 2018)

Domestic violence cases show an increasing trend. Efforts to eliminate domestic violence have encountered various obstacles, from a cultural point of view, especially in Indonesia because the incidence of domestic violence is an internal household affair and it is embarrassing if it is known to many people and domestic violence is not considered a violation of human rights so it needs to be closed tightly.

Domestic violence is an iceberg phenomenon. Data obtained from the annual records on violence against women compiled by Komnas Perempuan, which occurred the most in 2019 is still the same as in previous years, namely domestic violence which reached 11,105 cases or 75% with the following details:

| FORMS OF DOMESTIC VIOLENCE | AMOUNT (%) |
|----------------------------|-------------------|
| Physical Violence | 4,783 cases (43%) |
| Sexual Violence | 2,807 cases (25%) |
| FORMS OF DOMESTIC VIOLENCE | AMOUNT (%) |
| Psychological Abuse | 2,056 cases (19%) |
| Economic Violence | 1,459 cases (13%) |

Victims of domestic violence are usually reluctant to report what happened to them because they do not know where to complain. Family comes from Sanskrit: kula and warga "kulawarga" meaning "member" and "kin group". A family is an environment where several people who are still related by blood, unite. A nuclear family consists of a father, a mother, and their children.

According to Law No. 23 of 2004, the family is the smallest unit in society consisting of husband and wife, husband and wife and their children, father and his children, mother and her children, or blood relatives in a straight line, up or down to the third degree.¹

According to Friedman and Suprajitno, a family is a collection of two or more people who live together with rules, and emotional attraction where individuals have their respective roles that are part of the family (Lubis, A. & Tjiptomartono, A, L., 2011).

Violence is an act that can be physical or non-physical, carried out actively or in a passive way (inaction), willed by the perpetrator, and there are adverse effects on the victim (physical or psychological) that are not desired by the victim. Violence against women is an act based on gender differences that results in physical,

sexual, and psychological misery and suffering of women, including threats of certain actions, coercion, or arbitrary deprivation of liberty, whether it occurs in public or in private life.

It can be physical abuse or psychological abuse:

1. Definition of physical violence (WHO): physical acts committed against another person or group that result in physical, sexual, and psychological harm. These actions include hitting, kicking, slapping, stabbing, shooting, pushing (force), pinching.
2. Definition of psychological violence (WHO): the deliberate use of power including physical force against another person or group that results in physical, mental, spiritual, moral, and social growth. These acts of violence include verbal violence, scolding/insults, harassment, and threats. (Nirmalasari, N., 2020.)

The Law on the Elimination of Domestic Violence No. 23 of 2004 Article 1 number 1 (PKDRT Law) provides an understanding that "Domestic Violence (KDRT) is any act against a person, especially women, which results in physical, sexual, psychological, and or domestic neglect, including threats to commit acts, coercion, or unlawful deprivation of independence within the scope of the household". According to Law no.23 of 2004 article 2, the scope of the household is husband and wife and children, people who have a family relationship with the person referred to earlier because of blood relations, marriage, breastfeeding, parenting, and guardianship who live in the household and or people who work to help the household and live in the household. (Idries, A. & Tjiptomartono, A, L., 2011).

The increasing role of social institutions in instilling awareness of rights and providing assistance and protection to victims of domestic violence cases is influenced by the birth of legislation in Indonesia. The enactment of Law No. 23 of 2004 on the Elimination of Domestic Violence, Government Regulation No. 4 of 2006 on the Implementation and Cooperation of the Recovery of Victims of Domestic Violence, Presidential Regulation No. 65 of 2005 on the National Commission on Women, Law No. 13 of 2006 on the Protection of Witnesses and Victims, and other laws and regulations provide legal protection for domestic violence cases and include social institutions engaged in the protection of women. Even in the plan for the formation of these laws and regulations, the role of social institutions cannot be separated (Satyo, A, C., 2004).

- a. Law No.23 Year 2004 on the Elimination of Domestic Violence. Law No. 23 of 2002 on the Elimination of Domestic Violence, hereinafter referred to as the PKDRT Law, was promulgated on 22 September 2004 in the State Gazette of the Republic of Indonesia Year 2004 No. 95. The focus of the PKDRT Law is on the prevention, protection, and recovery of victims of domestic violence.
- b. Presidential Regulation No 65 of 2005 on the National Commission on Violence Against Women Presidential Regulation No. 65/2005 on the National Commission on Violence against Women, referred to as the Perpres Komnas Perempuan, is an improvement of Presidential Decree No. 181/1998 on the National Commission on Violence against Women. Article 24 of the Perpres Komnas Perempuan revokes and declares invalid Presidential Decree No. 181 of 1998 on the National Commission on Violence against Women. Komnas Perempuan was established based on the principle of the rule of law, which recognizes that every form of violence against women is a form of violation of human rights so an effort is needed to prevent and overcome the occurrence of violence against women.

To make a *Visum et Repertum* if possible depends on or by the expertise/specialisation. For example, physical violence by surgeons, eye violence by ophthalmologists, psychological violence by psychiatrists, and sexual violence by obstetricians and gynecologists. This will be difficult to do in remote areas because there are not many specialists so general practitioners are also allowed to do it. (Idries, A., 2016)

Traumatology is the study of wounds and injuries and their relationship to violence (Rajapaksa), while an injury is a state of tissue discontinuity caused by violence.

Blunt trauma is the most common type of trauma found when performing a medicolegal autopsy. Many cases have several external and internal injuries that are the cause of death and therefore need to be described during the autopsy. However, trauma is not limited to determining the cause of death, other pathological events must also be described.²

If the body surface is exposed to blunt force trauma, then the trauma localization absorption of mechanical energy permanently alters the integrity of the anatomy affected by the trauma and leads to the occurrence of a wound. Structural changes can occur by stretching (tension), compression, or differential forces (friction or shear) in proximity to external trauma (i.e. skin wounds). Internal and external injuries provide direct evidence of trauma however, internal trauma can occur in the absence of external signs.

Objects that can cause injuries with the nature of blunt injuries are objects that have a blunt surface. Wounds that occur can be in the form of bruises (contusion, hematoma), abrasions (excoriation, abrasion), and open wounds/tears (vulnus lacerated). The causes of death of victims of violence due to blunt objects are damage to vital organs, bleeding, shock, infection, thrombosis, and embolism. (Yudianto, A., 2020)

Examination of bruises by color can only determine the approximate time when the injury occurred due to the many variables involved. Darker colors such as purple and blue mean that the blood reflects light from different depths of the skin. Green may be a combination of blue and yellow. In general, red, purple, or black occurs immediately within 24 hours. At 24-72 hours the bruise may turn blue. Dark purple or brown. A yellow color can be seen at this time and is often associated with wounds that are more than 18 hours old. The change to green occurs within the first week and persists until the 10th day after trauma. After 7-10 days, the wound turns

yellow and disappears after 2 weeks or so.

2. CASE REPORT

A. Chronological

A male, 53 years of age, Indonesian citizen, religion Islam, occupation civil servant, came to RSUD Dr.R.M Djoelham Binjai with a Visum et Repertum Request Letter at the request of the Binjai Resort Police number VeR May 2022. From the victim's statement, the victim was assaulted by the victim's second wife, this was experienced by the victim on 25 May 2022 at approximately twelve thirty minutes West Indonesia Time at the home of the victim's wife, the victim claimed to have been thrown with stones and scratched by the perpetrator.

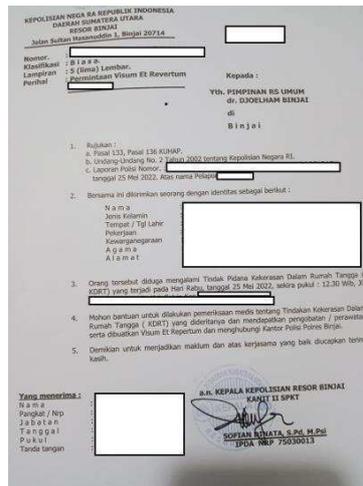


Fig 1 Visum et Repertum Request Letter

B. Physical Examination

General Situation:

- a. Level of consciousness: fully aware
- b. Blood pressure: one hundred and twenty-five per seventy millimeters of mercury
- c. Pulse frequency: seventy-eight beats per minute
- d. Breathing frequency: twenty times per minute
- e. Body temperature: thirty-six point six degrees Celsius
- f. Body height: one hundred and seventy centimeters
- g. Body weight: eighty kilograms

Inspection Result

- a. On the left forehead



Fig 2 Photo of abrasions on the left forehead

On the left forehead, six centimeters from the midline of the body, eleven points five from the left ear canal, there was a reddish blister measuring one point three centimeters long by one point four centimeters wide, around the blister there was a reddish bruise and swelling with pain on pressing measuring two centimeters long by zero point five centimeters wide.

b. On the back of the left-hand



Fig 3 Abrasions on the back of the left hand

On the back of the left hand, seven centimeters from the left wrist, a reddish abrasion was found, measuring zero point eight centimeters long by zero point five centimeters wide.

c. Additional tests were not performed

3. DISCUSSION

Based on the examination conducted and based on the theory:

Abrasions were found on the left forehead and the back of the left hand, where abrasions have the characteristics of irregular wound shape, irregular wound boundaries, uneven wound edges, slight bleeding, and reddish color. The abrasions in this case were caused by blunt force. The perpetrator may be subject to the Law on the Elimination of Domestic Violence. The victim works as a civil servant teacher in one of the schools, the injuries sustained by the victim do not interfere with his work or daily activities, so the injuries sustained by the victim are of minor degree. (Yudianto, A., 2020)

4. CONCLUSIONS

From the literature review, examination results, and discussion above, the victim suffered maltreatment due to blunt force with a minor injury because the injury did not interfere with the victim's daily activities or work.

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