



Research Article

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Finding the Factors and Proposing the Solution for Preventing Secondary Victimization

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Abstract

This research aims to find the causal factors and solutions to prevent secondary victimization. Using a doctrinal legal research method with statutory and conceptual approaches, Indonesian regulations are analyzed regarding the rights of crime victims and secondary victimization. Books and scientific journals that specifically discussed crime victims, crime typologies, and secondary victimization were also analyzed. By using qualitative analysis, the study shows that victims of crime, particularly those who experience sexual violence, suffer more severe and prolonged trauma when interacting with law enforcement personnel in the criminal justice system. These personnel usually blame the victim rather than showing empathy. The patriarchal perspective of society also exacerbates the situation. Therefore, it is necessary to encourage and practice values pro towards crime victims by personnel of the criminal justice system. Moreover, victims need to be empowered in every decision-making process that directly impacts their psychological condition. Online trials via teleconference need to be used frequently, especially in cases of sexual violence or domestic violence. This research presents an in-depth and comprehensive review of the causal factors and strategies to prevent secondary victimization. The findings of this research provide valuable insights for policymakers and practitioners in the criminal justice system to improve their approach towards crime victims and secondary victimization.

Keywords: *secondary victimization, criminal justice system, patriarchy, doctrinal legal research*

1. Introduction

The legal system in Indonesia is starting to recognize the rights of crime victims during the criminal justice process (Corrigan & Shdaimah, 2015). The amended Law Number 13 of 2006 on Protection of Witnesses and Victims provides sufficient protection and guarantees a number of rights for victims, including restitution and compensation for certain crimes. However, the law lacks specific measures to prevent secondary victimization for victims. The rights of crime victims include protection of personal safety, family and property, participation in selecting security protection, providing

information without pressure, having an interpreter, being free from ensnared questions, obtaining information on the case's progress, and learning about court decisions. Empowering victims requires legal provisions to ensure they do not experience secondary victimization when dealing with the criminal justice system (Otano, 2020).

Secondary victimization is a concept that has been studied extensively in the field of victimology, defined as additional harm inflicted on a victim by individuals and systems meant to provide support and assistance. It can take various forms such as blaming the victim, ignoring their needs, or treating them poorly. This literature review explores the different aspects of secondary victimization, the factors that contribute to it, and its impact on victims. One of the primary sources of secondary victimization is the criminal justice system itself. Research has found that victims of crime often feel re-victimized by the process of reporting, investigation, and prosecution. They may feel ignored or disbelieved by law enforcement officers, feel pressured to drop charges or accept plea bargains, and feel traumatized by the trial process. Some victims also described feeling blamed for their victimization, especially when they had engaged in behaviors that were perceived as high-risk (Campbell et al., 2001). Further research has highlighted the role of negative attitudes and biases towards victims within the criminal justice system, which can perpetuate secondary victimization (Rivera et al., 2012). Another factor that contributes to secondary victimization is the response of healthcare providers. Victims of sexual assault, in particular, may face additional trauma when seeking medical care due to aspects of the clinical process that can be retraumatizing. Examples include the lack of compassion or understanding from healthcare staff, insensitive language or behavior, invasive medical procedures, and a failure to provide information about their rights as a victim (Burgess-Proctor, 2015; Campbell et al., 2001).

The media can also contribute to secondary victimization by portraying victims in a stigmatizing and dehumanizing manner. Negative portrayals of victims in the news or entertainment media can reinforce public attitudes of victim blaming and reduce support for victims to come forward to seek help (Dowler, Fleming, & Muzzatti, 2006). Social media has also contributed to secondary victimization, as victims of crime have experienced cyberbullying and harassment from online trolls and extremists. Research has shown that secondary victimization can have significant negative consequences for victims, including worsening mental and physical health outcomes, increased reluctance to seek help, increased substance use, and higher rates of post-traumatic stress disorder (PTSD) (Dowler et al., 2006). Additionally, secondary victimization can compound the initial trauma of victimization, leading to a longer recovery process and an increased likelihood of long-term psychological effects. Secondary victimization is a serious issue that requires attention and intervention. The criminal justice system, healthcare providers, the media, and the general public all have a responsibility to ensure that victims of crime are treated with dignity and respect, receive appropriate support and assistance, and are not re-victimized in the aftermath of their trauma. By addressing the underlying factors that contribute to secondary victimization and providing victims with access to trauma-informed care and support, we can help to promote healing and resilience in the aftermath of crime.

The main objective of this research is to examine the factors that lead to secondary victimization and identify effective strategies to prevent it. This research is significant as it appears that current studies on crime victims focus more on their protection, while overlooking the importance of helping them recover from the emotional trauma they experience (John, 2013). Secondary victimization is a key factor that can exacerbate the trauma experienced by crime victims. Often, victims are reluctant to report their cases to authorities due to their negative experiences and poor treatment (Provost & Denov, 2020). Furthermore, even those who do report their cases may not be believed, especially in instances of sexual violence (Werner, 2021). The article consists of three sections. The first section focuses on the definition and categorization of crime victims. It highlights the differences in characteristics between primary victims of conventional crimes and those of white-collar crimes, transnational crimes, and cybercrimes. These distinctions have significant implications for how victims should be treated and compensated for their losses. The second section explores the

reasons behind secondary victimization. It identifies two main sources of secondary victimization: those arising from the criminal justice system, including law enforcement, and those from outside the system, such as hierarchical cultures or religious beliefs. In the final section, the article analyzes preventative measures to avoid secondary victimization. It suggests that victims should be empowered throughout the criminal justice process and encourages the adoption of a pro-victim perspective. The article also suggests alternatives to traditional court attendance, such as teleconferencing or reading victim statements in court.

2. Literature Review

2.1 Crime Victims in Definition

According to Andrew Nash (2007), victims of crime are often overlooked for a significant period of time, making them forgotten individuals in the criminal justice system (Zargar, 2020). However, this neglect of victims as "neutral" witnesses seems to contradict the notion of a fair and impartial trial (Wolf, & Werner, 2021). This raises questions about the definition of a victim of crime, which originally had religious connotations and was only later associated with those who suffer as a result of criminal activities. (Wolf, & Werner, 2021). What is implied by being a victim of crime has various definitions, both provided by professionals and legal frameworks on a global scale. Gosita (1993) characterizes victims as individuals who undergo physical and emotional anguish as a result of others' actions who prioritize their interests or those of other people over the human rights of the aggrieved party. In contrast, Waluyo (2011) describes a crime victim as someone who has experienced physical or mental torment, loss of property, or even death due to minor violations committed by criminals and other individuals. Both definitions possess very similar meanings, with physical and spiritual suffering serving as synonyms for physical loss, loss of property, resulting in death, and mental suffering, respectively.

Muladi (2005) presented an alternate interpretation of the term 'victims.' Muladi (2005) suggested that victims are individuals or groups who have undergone both individual and collective damages, such as physical or mental trauma, emotional distress, economic harm, or significant infringement of their basic rights. These damages are caused by actions or inactions that infringe on criminal law in each particular country, such as abuse of authority. Muladi's (2005) definition broadens the scope of victimhood, covering both those who are victimized by criminal acts and those who are victimized by abuse of power. The Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 1985 defines victims as "*persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omission of criminal laws operating within Member States, including those laws proscribing criminal abuse of power..... through acts or omissions that do not yet constitute violations of national criminal laws but of internationally recognized norms relating to human rights.*"

According to the given definition, victims refer to individuals or groups who have undergone various forms of harm, such as physical or mental injuries, emotional distress, loss of finance, or substantial violations of their fundamental rights. These harms are a result of acts or omissions that contravene the current penal laws in Member States, which include laws that prohibit abuse of power. Additionally, the Declaration categorizes victims of power abuse as individuals or groups who have suffered harm, including physical or mental injury, emotional distress, loss of finance, or violation of their fundamental rights. These harms are a consequence of acts or omissions that do not disobey national criminal laws but violate internationally recognized standards concerning human rights. Various laws include definitions of a crime victim. One such law is Government Regulation No. 3 of 2002, which outlines compensation, restitution, and rehabilitation for victims of serious human rights violations. According to this regulation, victims are individuals or groups who have experienced physical, mental, emotional, or economic suffering, as well as neglect, reduction, or

deprivation of basic rights resulting from gross human rights violations, including those who are heirs of expert victims. However, these victims are limited to individuals or groups affected by genocide and crimes against humanity, as specified in Law Number 26 of 2000 concerning Human Rights Courts. Law Number 13 of 2006, which is the second, is about safeguarding witnesses and victims. According to this law, a victim is referred to as an individual who undergoes physical, psychological and/or financial damage as a consequence of a wrongdoing. The same interpretation is similarly emphasized in Law Number 31 of 2014, which makes amendments to Law Number 13 of 2006. This interpretation confines victims to those affected by criminal actions and only experiencing physical, psychological and/or financial harm.

The third rule is Government Regulation Number 7 of 2018 which is about giving compensation, restitution, and assistance to witnesses and victims. According to Article 1 point 2, a victim is someone who experiences physical, mental, or financial harm because of a crime. Essentially, this definition is similar to the definition of a victim in the Law on the Protection of Witnesses and Victims and Government Regulation Number 3 of 2002. The similarity extends to the identity of the victim and the nature of the losses incurred. The fourth is Law Number 11 of 2012 on the Juvenile Criminal Justice System, child victims are identified as individuals below 18 years old who undergo physical, mental, and/or economic harm as a result of criminal actions. This description mirrors the earlier law's victim definition which solely encompassed physical, mental, and/or economic damage.

The fifth law is Law Number 21 of 2007 about the Elimination of the Crime of Trafficking in Persons. As per Article 1 point 3, a victim is defined as "any person who undergoes psychological, mental, physical, sexual, economic, and/or social distress due to human trafficking." It is argued that this definition differs from the previous one since it includes social suffering as a victim's agony. It is challenging to prove that social deprivation suffered by victims is a result of the perpetrator's criminal acts. Unlike mental or psychological suffering, establishing a cause and effect relationship in the context of social losses for victims of human trafficking is complex. In most cases of sexual exploitation, forced labor, or domestic servitude, victims have undergone mental or psychological trauma due to the perpetrator's violence or looming threats (Torgoley, 2005). According to the given definition, individuals or groups who experience harm or loss in different forms such as physical, psychological, mental, economic or social, due to the crime committed by the offender are typically known as victims of crime.

2.2 *Typology of Victims*

Included in the category of victims are primary victims, secondary victims, and those who do not experience victimization. The term "primary victim" or "direct victim" is used in English to refer to the person or group that is targeted by a crime. According to Long (1995), a victim is someone who suffers an economic loss or endures suffering due to an unlawful action perpetrated against them. Losses and suffering experienced by victims can be categorized into three forms, with economic loss being one of them. Not all victims experience economic loss, however, as it is typically associated with specific crimes like theft, embezzlement, and fraud. In cases of more complex crimes like human trafficking, victims may also experience property loss as a result of the perpetrator's actions (Epstein, 2021).

The second type of loss or suffering is physical, which is usually encountered by those who have experienced sexual violence, domestic abuse, terrorism, genocide, human trafficking, and crimes against humanity. Women and children who are trafficked for sexual exploitation are usually manipulated by their oppressors to enter the sex trafficking industry. This can occur through kidnapping, torture or rape (Barua & Hossain, 2022). Terrorism victims may suffer bodily harm, amputations, or even fatalities. The third category of losses or impacts is related to psychological or mental well-being. It should be noted that not all crime victims experience this kind of suffering, but only those who have been subjected to certain types of crimes such as sexual violence, rape, domestic violence, gender-based violence, human trafficking, terrorism, and crimes against humanity. For

example, women or children who are coerced by force or threat of force to engage in sexual activities with perpetrators undergo significant psychological trauma. Similarly, victims of terrorist acts, such as those affected by bomb explosions, also suffer from severe psychological trauma. This is because terrorism creates widespread fear, which further exacerbates the suffering of the victim. The recovery process is lengthy for these victims.

After a crime takes place, victims often go through various psychological responses such as heightened levels of adrenaline, increased heart rate, and shallower breaths due to panic, as well as feelings of numbness, dryness in the mouth, and heightened sensations. In some cases, victims may also experience additional psychological symptoms after the event such as insomnia, headaches, tense muscles, changes in appetite, nausea, and a decrease in libido. For those who have experienced domestic violence, this psychological pain often persists over a long period of time. Greer (1994) argued that limitations should be placed on the losses suffered by victims to only those that are material or physical, in relation to mental or psychological distress. He pointed out that extending the definition of victims to include those who suffer mental or psychological harm leads to challenges such as proving causality, complicated administrative processes, and difficulties in calculating compensation. However, this perspective is flawed in its entirety. There exists a distinction between the mental or psychological losses undergone by a victim and the computation of compensation, making them two divergent realms. With regard to crimes such as transnational offences or crimes within the domestic space, victims generally endure psychological or mental distress, hence it is only reasonable to incorporate this experience as one of the sufferings undergone by the primary victim. The question of whether establishing the occurrence of such suffering poses difficulties is a matter that pertains to criminal procedural law and does not affect the determination of the loss endured by the primary victim. Fourthly, victims' losses that arise from criminal acts perpetrated by offenders, is what genuinely establishes the victim's torment. Failure to fulfill this condition means that the victim cannot be considered as the primary victim.

Crimes can be categorized as either traditional or non-traditional, and both have primary victims. Traditional crimes refer to those committed by regular individuals without any particular skill, often involving physical force, such as assault, rape, murder, obscenity, money laundering, embezzlement, or robbery. These types of crimes occur frequently and the victim is usually aware of their victimhood. The individuals responsible for committing crimes typically focus on harming the victim's physical well-being or property, although some offenses, such as defamation, aim to harm non-tangible things like the victim's character. This type of crime damages the honor and dignity of the victim, which is intangible. Therefore, it is essential for the victim to file a complaint, as the physical enforcement of criminal law cannot occur without evidence of feeling harmed in these cases.

It is considered that non-traditional crimes were equivalent to terms such as white-collar crime, transnational crime, and cybercrime. These crimes are committed by individuals who hold prestigious positions and maintain a high social status while committing the crime. The definition of non-conventional crimes takes into account both the perpetrator and their social standing. In contrast to traditional crimes, non-conventional crimes are usually committed by individuals who possess particular skills or knowledge and are connected to their professional roles, whether in the public or private sector, and employ mental acuity. Human trafficking, banking offenses, tax fraud, money laundering, bribery, and environmental crimes are among the offenses classified as non-conventional crimes. Croall (2007) outlined that non-traditional crimes possess certain traits, including: a) being inconspicuous as they are usually carried out through routine work activities requiring professional expertise and complex organizational systems; b) being complex in nature due to involving deception, fraud, and theft, often tied to scientific, technological, financial, legal, and organized areas, involving numerous individuals over an extended period of time; c) possessing a diffuse responsibility stemming from organizational intricacy; d) causing victimization that affects a large population, such as fraud and pollution; e) being challenging to detect and prosecute due to the imbalance in proficiency between law enforcement and criminals; f) having vague laws which often lead to enforcement deficits; and g) involving unclear perpetrator status (Dixon, 1994).

Large numbers and complex problems make it difficult to identify victims of non-conventional crimes. Koesoemahatmadja (2011) has classified victims of non-conventional crimes into six categories. Firstly, competitors who suffer from industrial espionage crimes that violate intellectual property rights, unfair competition, monopolistic practices, and others. Secondly, the state, which faces corporate crimes such as false information against government agencies, corruption, economic crimes, subversion crimes, and others. Thirdly, employees who are victims of corporate crime in the form of an unhealthy and unsafe work environment, restrictions on the right to form labor organizations, non-compliance with the minimum wage, and others. Fourthly, consumers who suffer from misleading advertisements, toxic and dangerous products, and others. Fifthly, society, which faces environmental pollution and destruction, embezzlement, tax evasion, corruption, and others. Finally, shareholders/investors who suffer from accounting fraud and falsification, and others. In summary, non-conventional crimes have a large number of victims and highly complex issues, making it a challenge to identify them. Koesoemahatmadja (2011) has identified six kinds of victims of non-conventional crimes, including competitors, state, employees, consumers, society, and shareholders/investors. These crimes range from environmental pollution to false information, and from monopolistic practices to toxic products.

The type of non-traditional crime inflicted upon a person determines who the victim is. For instance, corruption can affect individuals, the larger community, or even the government, while trafficking primarily targets women and children. Terrorism can impact individuals or the broader community, whereas money laundering violates the State. Finally, cybercrime can harm companies, individuals, the general public, and the State. According to Boeglin & Shapiro (2017), crime affects society as a whole, although it may not always involve physical harm. Instead, the impact may be in the form of economic loss or psychological distress. Therefore, it is challenging to consider society as the primary victim of a crime and determine the appropriate compensation to be paid by the State. However, for specific crimes such as genocide, victims who belong to specific groups and experience multiple forms of harm can be considered special primary victims (Boeglin & Shapiro, 2017). In some cases of ethnic-based violence, the majority of society may also experience various forms of suffering at the same time. Thus, it can be argued that society being the primary victim of a crime is not always incorrect.

Furthermore, individuals who have a connection with the primary victim and rely on them emotionally or financially, such as family members including children, parents, or partners, are referred to as secondary victims. When a parent or partner is victimized, their children and significant others can experience emotional or financial fallout even though they are not the direct victim. Children may feel worried or scared that they too could become a target, while spouses can undergo either economic or psychological distress. Furthermore, parents who count on their children as a source of emotional or financial support can also become secondary victims in crimes where their children are primary targets. Individuals who undergo emotional turmoil, encounter changes in personal relationships, and are likely to incur financial damages due to criminal activities are categorized as secondary victims. Although indirect, the broader society can also become secondary victims by suffering economic or psychological losses. This may take the form of expenditures to prevent victimization in the future, such as recruiting security personnel and installing crime detectors. Additionally, properties located in close proximity to drug-related activities may experience difficulty selling, businesses located in high-crime areas may witness a decrease in sales, and children fearful of crime may refuse to attend school. Moreover, close family or neighbors who become primary victims of a crime can cause psychological trauma to those who witnessed or heard the occurrences.

Crime without a victim, also known as "no victimization," is a term used in Western theoretical discourse. The introduction of this term can be attributed to the widespread use of a liberal perspective in all areas of life, including the definition of crime. The Western society believes that only acts that inflict harm on others should be deemed criminal. Although certain actions might be considered immoral, they cannot be used as a basis for criminalization because morals are subjective

and vary between societies. Only actions that cause physical, economic, mental, or psychological harm to the victim are prohibited and punished. Therefore, actions like prostitution, drug use for personal consumption, and cohabitation are classified as victimless crimes, even though they are considered socially unacceptable. However, this perspective may not always be applicable in Indonesia as communities can fall prey to prostitution and drug abuse (Supaat, 2022). Such actions go against Pancasila, which serves as the foundation of the State and its legal values, including the first precept of believing in one Almighty God (Usman, 2020). If a significant number of young children get addicted to drugs, it would hinder their prospects, making not only society but also the State of Indonesia a victim. Furthermore, young couples who cohabit without a valid marriage bond contribute to the decline of moral, ethical, and religious values in the community, even if it does not lead to physical or economic losses.

3. Research Methods

The research methodology used in the study is doctrinal legal research, which means that the researchers rely heavily on existing laws and regulations to analyze the phenomenon of secondary victimization. This type of research is common in the legal field, where scholars and practitioners analyze legal texts to better understand the implications and applications of the law. The researchers in this study use a combination of statutory and conceptual approaches to analyze the topic of crime victimization, examining both the specific regulations in Indonesia and the broader theoretical framework of the concept.

To conduct the research, the scholars rely on secondary data in the form of books and journals that discuss the topic of crime victimization and secondary victimization. This type of research is known as desk research, and is often used when primary data is difficult to collect. By reviewing existing literature, the researchers are able to gain a comprehensive understanding of the topic and its complexities.

The results of the research are presented in a qualitative analysis that provides an in-depth review of the causal factors and strategies to prevent secondary victimization. Qualitative analysis is a research method that is used to gain insight into complex phenomena by examining non-numerical data, such as interviews, observations, and documents. In this case, the researchers examine the existing literature to identify the factors that contribute to secondary victimization and propose strategies to prevent it. Overall, the study provides a valuable contribution to the field of criminology and victimology by shedding light on an important and often overlooked aspect of criminal behavior.

4. Research Results

4.1 *Finding the Factors of Secondary Victimization*

When victims experience secondary victimization, it can increase their struggles and worsen their emotional distress. Secondary victimization refers to a distinct idea from that of secondary victim, as the former describes the indirect suffering or loss experienced by individuals affected by a crime, while the latter occurs when individuals are affected by responses from institutions or individuals, not necessarily as a result of a crime. These responses can be from various institutions such as government, social or criminal justice institutions, as well as from law enforcement personnel, friends and family of the victim, and even the general public. The criminal justice system is often a prominent location where secondary victimization is observed. According to Green (2012), secondary victimization refers to the adverse effects on victims caused by the response of legal institutions and individuals, rather than the original crime itself. This means that the negative impact on victims is primarily caused by how the criminal justice system and its actors treat them (Bhatty, 2016). As such, secondary victimization can result from mistreatment or the infliction of further harm by the criminal justice system and its actors (Green, 2012).

When victims engage with governmental procedures and individuals within them, they may become secondary victims within the criminal justice system. According to numerous studies, victims often undergo traumatic experiences when dealing with the criminal justice system, leading to frustration and detachment. In many instances, the victim's statement is only considered as a witness in court, with little attention given to their input. The system often prioritizes the rights of the accused, causing victims to feel neglected and unsupported. Victims may experience an array of psychological issues, such as neglect and increased emotional distress. Many victims also believe that the criminal justice system is skewed towards protecting perpetrators rather than supporting the interests of the victims. As a result, victims frequently feel excluded from the process of investigating, prosecuting, and sentencing those who have caused them harm. The harm inflicted on victims through their interaction with the criminal justice system can be more severe than the harm caused by the crime itself. Garvin & Belooof (2015) refer to this as secondary victimization, which can result in posttraumatic stress disorder, mental and psychological suffering, and even sexual trauma. As a result of their experiences, victims lose trust in the legal system. The criminal justice system can be traumatic for victims of trafficking and rape, with the latter experiencing worse post-traumatic stress when reporting their cases (Moore, 2006). Victims of sexual violence often avoid reporting their cases due to the negative effects of the criminal justice process. Victims are mistreated and not given the proper attention or respect. Those who are unable to provide sufficient information are even blamed and doubted by the police, public prosecutors, and judges (Behre, 2017).

However, organizations and individuals can re-victimize victims of rape by engaging in actions, attitudes, and practices that hold the victim responsible. According to research, victims have even reported experiencing violent behavior again after seeking help from medical staff who were supposed to alleviate their trauma. Students who are victims of sexual violence may also face secondary victimization if they confide in others, potentially being subjected to abusive behavior. Additionally, victims may feel regret for reporting their cases through certain channels, as they may instead face harassment and further trauma. (McCowan, et al. 2021). Domestic violence victims may also encounter secondary victimization. In the event that a woman reports her husband's violent behavior to the authorities, those closest to her or even her neighbors may react negatively or with disapproval. The victim's report may be viewed as a shameful revelation for her family, exposing what was supposed to remain a private matter. As a result, the victim herself may experience an additional sense of dishonor.

There are various reasons why secondary victimization occurs, which can be attributed to both the criminal justice system and individuals who have a relationship with the victim. The criminal justice system can be a contributing factor due to several reasons. Firstly, the process of reporting the crime to law enforcement can be complicated and overwhelming for victims who are reporting for the first time. Secondly, the investigation process can be lengthy, resulting in prolonged stress and suffering for the victim. Thirdly, the time taken to resolve the victim's loss and trauma can be extended, adding to their pain and distress. Fourthly, victims may struggle to recall traumatic events for court proceedings, which are further exacerbated by the need to orally recount their experiences. Fifthly, questioning from prosecutors, lawyers, and judges can cause the victim to relive their trauma and experience further psychological distress, especially when the questions are insensitive to the victim's emotions and mental wellbeing. (Cotti, et al 2004).

The second factor that contributes to secondary victimization is the presence of a patriarchal culture that places boys in a superior position to girls, especially when it comes to access to family assets and education. This type of cultural perspective marginalizes individuals without a voice, such as women. It considers such individuals as secondary citizens or even objects rather than subjects. This way of thinking greatly harms women, children, and other marginalized groups, as it places them in a disadvantaged position. Sagala and Rozana (2007) provide a detailed explanation of this viewpoint. Bhasin (2003) said that all institutions in society are patriarchal. Family institutions, religion, media, legal system, and economic system, politics are the pillars of a patriarchal system. In the family the man is the decision maker. The process of internalizing patriarchal values for children

from the fetus to adulthood is carried out within a family. Religious institutions, which are dominated by men, carry out their role as parties that socialize the standardization of women's roles through patriarchal interpretations of scriptures. A legal system built on legal substance, structure and culture, formulated to serve men and to strengthen patriarchal social relations.

Regarding victims, a significant number of criminal acts are committed against women and children, specifically those involving sexual violence, domestic violence, gender-based violence, and human trafficking. Women who have been victimized are often unable to report the crime to authorities as their male-dominated relatives prohibit them from doing so. Additionally, the victim's own family may abuse them further and label them with derogatory titles such as coquette, bitch, and promiscuous woman. In such cases, the patriarchal culture subjected upon them results in secondary victimization for the victims (Dancig-Rosenberg & Yosef, 2019). Another cause of secondary victimization is the misinterpretation of religious doctrines. Several religious doctrines forbid the exposure of other people's shame, which leads to victims who report or share their experiences being seen as guilty for bringing shame upon others. In addition, the socio-cultural community still lacks a fully embedded pro-perspective towards victimization, which results in victims of rape being expelled from school or experiencing various forms of suffering and loss due to the societal perspective that has not been properly institutionalized.

4.2 Preventing Secondary Victimization

According to Moore (2006), research has shown that victim support and empowerment in the criminal justice system generally lead to positive outcomes for victims, who feel valued and well-treated through their involvement and empowerment in every process and decision-making that affects them. Belooof (1999) emphasizes the importance of the victim's role in the criminal justice process, highlighting that their participation should be based on their own choice and empowered in determining the processes and procedures to protect their rights. The author also stresses the need for questioning methods that account for victims' mental, trauma, or psychological suffering, and adds that without freedom of choice, victims are reduced to mere witnesses in the justice system. A shift in mindset towards victim support is necessary and should be implemented across various groups, including law enforcement officials, healthcare professionals, close associates, and victim families. It is important to provide training that is focused on prioritizing the well-being and rights of victims for law enforcement and professional staff. Leaders in communities and families should also play a key role in promoting a victim-centered perspective (Wechsler, 2022).

To prevent secondary victimization, teleconferencing can be utilized during victim examinations in investigations and court hearings. This can benefit not only witnesses who are unable to attend due to various reasons, but also victims themselves. During such trials, victims should be accompanied by trusted individuals or psychologists with legal expertise, conceal their identity to avoid any negative consequences from the perpetrator and have the perpetrator excluded from the trial during their testimony (Ferguson, 2022). Empowering Article 162 of the Criminal Procedure Code can prevent secondary victimization by recognizing the importance of a witness's testimony given under oath during the investigation stage. Victims can provide information at the investigation stage with the support of their closest associates, legal assistants, psychologists, or non-governmental organizations that aid victims of crime in the criminal justice system. The victim's statement is then read out in court, making their testimony just as legally valid as if it were given in person. (Gilbert & Postel, 2021).

Therefore, it is crucial to promote a victim-centered approach to criminal justice where investigators, prosecutors, judges, and all personnel of the criminal justice system internalize values that prioritize the victim's well-being and empower them in every decision-making process. Supporting victims and trauma-informed care should be integrated into the criminal justice system. Additionally, teleconferencing can be used frequently for cases involving sexual or domestic violence to protect victims from further trauma. Thus, victims of crime, especially sexual violence, often

experience prolonged and severe trauma when interacting with the criminal justice system, compounded by societal attitudes. A victim-centered approach that prioritizes the well-being of the victim, trauma-informed care, and the use of teleconferencing can help protect the victim's psychological condition and promote their empowerment (Mariyam & Setiyowati, 2021).

5. Conclusion

The findings indicate that victims of crime, particularly those who have suffered sexual violence, encounter greater and more enduring psychological trauma when dealing with law enforcement officials in the criminal justice system. These officials tend to be uncompassionate and shift blame onto the victim, exacerbating societal views, particularly in patriarchal societies, which further harm victims of crime. As a result, initiatives that endorse values promoting the welfare of victims of crime should be encouraged and implemented by investigators, judges, prosecutors, and all criminal justice personnel. Victims must be given the authority to participate in every decision-making process that affects their psychological state. More specifically, in situations of sexual or domestic violence, the use of online trials via telecommunication should be more commonly utilized.

This study provides valuable insights into the experiences of victims of crime and the importance of addressing secondary victimization. It highlights the need for further research and practical steps to be taken to reduce the negative impact of secondary victimization on victims of crime. The theoretical implications of this study are significant. It highlights the importance of understanding secondary victimization as a concept and how it can affect the experiences of victims of crime. The study also emphasizes the need for society, particularly those in the criminal justice system, to re-evaluate their attitudes and behaviors towards victims of crime. The practical implications of this study are also worth considering. It suggests that training programs for law enforcement personnel and other criminal justice professionals should be developed to help them develop better communication skills and empathy towards victims of crime. In addition, it highlights the importance of empowering victims of crime in the decision-making process, and the need to use online trials via teleconference to ensure that victims of sexual and domestic violence are better protected.

This study concentrates on researching legal provisions and literature on secondary victimization. More comprehensive research, such as case studies evaluating how victims of crime experience secondary victimization and the necessary measures to overcome them, is essential in the future.

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