

Analysis Of Judicial Considerations In Imposing Sanctions On Perpetrators Of Domestic Violence (DV) (A Study of Court Decision Number: 544/Pid.Sus/2025/PN Tjk)

Zainab Ompu Jainah,¹

¹University of Bandar Lampung, Indonesia

Dony Tri Rinaldo.²

²University of Bandar Lampung, Indonesia

Email: ¹zainab@ubl.ac.id, ²doonytri82@gmail.com.

Abstract

Cases of Domestic Violence (DV) as reflected in Court Decision Number 544/Pid.Sus/2025/PN Tjk illustrates how violence within the household sphere can develop into a criminal case that must be resolved judicially through proceedings. The research problems addressed in this study are the factors causing the occurrence of Domestic Violence (DV) crimes and the judicial considerations in imposing sanctions on perpetrators of Domestic Violence (DV) based on Court Decision Number 544/Pid.Sus/2025/PN Tjk. The research method employed is a normative juridical approach combined with an empirical approach, and the conclusions are drawn using deductive reasoning to provide a general overview of the answers to the research problems based on the findings of the study. The results of the study indicate that Domestic Violence (DV) crimes are influenced by multidimensional factors, such as economic conditions, inability to control emotions, unequal power relations, and patriarchal culture, which are exacerbated by the victim's economic and psychological dependence and low level of legal awareness. A victimological perspective shows that victims of DV are in a weak and vulnerable position, indicating that DV is a social problem requiring state intervention. Based on Court Decision Number 544/Pid.Sus/2025/PN Tjk, judges impose sanctions by considering juridical, sociological, and philosophical aspects, including the physical and psychological impacts suffered by victims, in order to achieve deterrence, justice, and legal protection for victims of Domestic Violence. Recommendations suggest that law enforcement officers, the government, and the community need to strengthen efforts to prevent Domestic Violence through legal education, increased awareness of equality within households, and economic and psychological protection for victims. Inter-institutional synergy and preventive–rehabilitative approaches are essential to break the cycle of violence. Judges, in deciding Domestic Violence cases, are expected to prioritize victim protection and substantive justice by considering the sociological and psychological aspects of victims and applying a victimological perspective, so that court decisions provide not only legal certainty but

539



also maximum protection for victims.

Keywords: Judicial Considerations; Sanctions; Criminal Offense; Domestic Violence.

INTRODUCTION

Domestic violence (DV) is a legal violation that occurs within the domestic sphere and is often hidden from public scrutiny, leaving victims, typically wives, children, or other family members, in a vulnerable position. Domestic violence encompasses not only physical violence but also psychological, sexual, and neglect. This crime has complex social and psychological dimensions, involving emotional relationships, economic dependency, and power dynamics within the family. Addressing it requires a comprehensive legal approach that is sensitive to victims and provides maximum protection to prevent the recurrence of domestic violence.

In domestic violence (DV) cases, judges are obligated to carefully assess all legal facts revealed during the trial, including witness testimony, evidence, and the victim's psychological state. This assessment is crucial because domestic violence is a crime that often occurs in private, requiring careful examination to avoid bias and ensure the fulfillment of the elements of the offense as stipulated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence. Therefore, judges require an approach that is not merely legalistic but also considers the social realities and vulnerabilities of the victim.¹

Juridical considerations are the primary basis for sentencing, as judges are required to decide cases based on articles relevant to the indictment and demands of the public prosecutor. In domestic violence cases, elements of the crime, such as physical, psychological, or sexual violence, or neglect, must be proven with valid evidence before the judge can declare the defendant guilty. This evidence involves witness examinations, *post-mortem examinations*, and expert testimony that can corroborate the facts of domestic violence. Judges also refer to the principle of *nullum crimen sine lege*, which states that no act can be punished without a clear legal basis, so their decisions must not deviate from the boundaries of applicable positive law.²

Juridical considerations ensure that decisions are not only procedurally valid but also reflect legal certainty and justice for the parties involved. This is crucial because legal certainty provides clear guidance for the public and law enforcement, enabling predictable and measurable legal action. Furthermore, substantive justice emphasizes the need to protect the rights of disputing parties and to consider the social and humanitarian context in decision-making. Juridical considerations form the basis for decisions that are not merely formal but also meaningful in upholding the principles of law and justice.

In addition to legal considerations, judges also consider philosophical considerations such

¹ Achmad Yulianto and Mukti Fajar. 2015. *Dualism of Empirical Normative Legal Research*, Pustaka Pelajar, Yogyakarta, p. 32.

² Andi Hamzah. 2020. *Indonesian Criminal Law*, Sinar Grafika, Jakarta, p. 114.



as the values of justice, expediency, and legal certainty as a moral basis for making decisions. In domestic violence cases, the concept of justice is not only understood as equal treatment between perpetrators and victims, but rather emphasizes the protection of victims who are often in a subordinate position, both psychologically, economically, and socially. This philosophical consideration is important because domestic violence has long-term impacts that are not always directly reflected in the facts of the trial. Judges need to assess decisions not only from the perspective of written regulations, but also from the perspective of how the decision can provide a sense of security, restoration of rights, and substantive protection for victims.³

Philosophical considerations ensure that sentencing not only meets the formal legal requirements but also reflects humanitarian values and the goals of just sentencing. This is crucial because criminal law aims not solely to punish but also to promote rehabilitation, protect society, and restore victims' rights. Criminal decisions can harmoniously balance individual interests with social interests. Philosophical considerations form the basis for the application of law that is not only procedurally valid but also just and humane.

Sociological considerations are an integral part of domestic violence criminal decisions because judges need to understand the impact of the perpetrator's actions on the victim's social environment and family environment. These social impacts can include prolonged trauma experienced by the victim, disruption of relationships between family members, and a loss of security within the household. Furthermore, judges also assess the extent to which the perpetrator's actions have the potential to cause family breakdown or even irreparable division. These considerations include an analysis of the background of the relationship between the perpetrator and the victim, including whether the violence has occurred repeatedly and the likelihood of future recurrence.⁴

Sociological considerations assist judges in assessing the social context of a crime, including the causal factors, the perpetrator's background, and its impact on society. Judges can determine the seriousness of the crime and adjust the severity of the sentence proportionately. A sociological approach ensures that decisions are not solely repressive but also consider the rehabilitation of the perpetrator and balance the interests of the victim and society. Sociological considerations are an important instrument for achieving contextual and socially relevant justice.

In some cases, judges also consider whether the domestic relationship between the perpetrator and victim can still be maintained or whether it has been permanently damaged by the violence. This assessment is crucial in determining whether criminal sanctions can be balanced with mediation or rehabilitation efforts, particularly in cases of domestic violence. Judges' decisions emphasize not only the punitive aspect but also consider social restoration and long-term protection for the victim. This approach reflects the integration of legal, philosophical, and

³ Satjipto Rahardjo. 2019. *Legal Science*, Citra Aditya Bakti, Bandung, p. 52.

⁴ Barda Nawawi Arief. 2021. *Anthology of Criminal Law Policy*, Kencana, Jakarta, p. 87.



sociological considerations in the sentencing process.⁵

This assessment is crucial because the state of domestic relationships can influence the purpose of sentencing, both to provide a deterrent effect and to prevent recurrence of violence. Judges need to consider whether legal intervention can promote the rehabilitation of the perpetrator while effectively protecting the victim. By considering the social and psychological dynamics of the family, criminal decisions can be more proportionate and contextual. This approach ensures that the law not only upholds formal justice but also serves as an instrument of prevention and social recovery.

Judges may consider rehabilitative sentences or sentences that support family recovery, without compromising protection for the victim. This approach allows for proportionate sentencing while simultaneously encouraging relationship repair and controlling the perpetrator's behavior. Conversely, if the relationship has broken down and the victim no longer feels safe, judges tend to impose harsher sentences as a form of legal protection and prevention of recurrence of violence. Judges' considerations reflect a balance between rehabilitative goals, victim protection, and legal certainty in sentencing.⁶

These considerations help judges adjust the type and severity of punishment more appropriately to the social and psychological circumstances of the parties. By understanding the background, relationship, and impact of the crime on both the victim and the perpetrator, judges can determine proportionate and contextual sanctions. This approach allows for punishment that is not only repressive but also encourages rehabilitation and prevents recurrence of crime. Sociological and psychological considerations are crucial instruments in upholding fair and humane justice.

Furthermore, the perpetrator's condition is also an important consideration in the sentencing process. Judges assess various aspects such as the perpetrator's motives, level of remorse, cooperative attitude during the trial, and whether the perpetrator has a history of prior violence. These factors help judges assess the perpetrator's character and potential for change or, conversely, the potential for repeating similar acts in the future.⁷

In many decisions, consideration of mitigating and aggravating circumstances is a key factor in determining the proportionality of a sentence, ensuring that the sentence is not only in accordance with the law but also morally and socially just. For example, perpetrators who repeat their offenses, act with intense violence, or cause serious injury to the victim tend to receive

⁵ Zainab Ompu Jainah and Almira Rotua Qari. 2025. *Analysis of Judges' Considerations in Deciding on Alternative Charges Against Perpetrators of Online Gambling Crimes*, Journal of Health Education Law Information and Humanities, Vol. 2 (1), pp. 300-306.

⁶ Zainab Ompu Jainah, Intan Nurina Seftiniara and Sheila Monica Yohanes. 2021. *Analysis of Criminal Responsibility for Child Perpetrators of Violent Crimes* Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance, Vol. 1(3), pp. 130-136.

⁷ Lilik Mulyadi. 2020. *General and Written Criminal Law*, Rajawali Pers, Jakarta, p. 176.



heavier sentences as a form of protection and deterrence. Conversely, perpetrators who demonstrate deep remorse or have no history of violence may receive mitigating considerations, as long as they do not compromise the interests and safety of the victim.

Expert testimony, particularly from the fields of psychology and medicine, is often used in domestic violence cases to clarify the psychological and physical impacts of violence. Judges use this information to assess the extent of the victim's suffering and to determine whether the violence has caused serious harm. Expert analysis also assists judges in determining the appropriate proportion of punishment, both from a rehabilitative and preventive perspective. Thus, expert testimony is a crucial instrument in ensuring fair, humane, and evidence-based criminal decisions.⁸

The role of experts is especially crucial when victims experience emotional trauma that cannot be easily proven with physical evidence. A psychologist or psychiatrist can provide a professional assessment of the psychological impact on the victim, including levels of stress, anxiety, or other emotional disturbances. This information helps judges assess the seriousness of the violence and determine proportionate and appropriate punishment.

Judges also consider the objectives of sentencing, namely to provide a deterrent effect, protect the community, and reform the perpetrator so that they do not repeat their actions. In cases of domestic violence, judges are increasingly being directed to prioritize victim protection as the dominant aspect, without neglecting the perpetrator's rights. This approach allows for proportional, balanced, and contextual criminal decisions, taking into account the social, psychological, and legal impacts of the violence. Thus, the objectives of sentencing can be achieved comprehensively, including prevention, rehabilitation, and victim protection.⁹

This aligns with developments in modern criminal law, which emphasizes the principle of *restorative justice* while still providing justice for victims. This approach promotes social restoration, rehabilitation of perpetrators, and protection of victims' rights in a balanced manner. By considering psychological, social, and moral aspects, judges can impose proportionate and contextual sentences based on actual conditions on the ground.

The judge's considerations in sentencing must be clearly reflected in the decision so that it can be tested through legal remedies and provide certainty for the parties. An argumentative and comprehensive decision not only demonstrates the quality of the judiciary but also strengthens the legitimacy of the judge's decision in the eyes of the public. Furthermore, a detailed explanation of the legal, philosophical, and sociological reasons for the decision can serve as a means of legal education for the public, enhancing public understanding of the judicial process. Transparency and in-depth considerations in decisions are crucial elements for upholding substantive justice and legal certainty.¹⁰

⁸ Wagiati Soetedjo. 2019. *Domestic Violence and Legal Protection for Victims*, Refika Aditama, Bandung, p. 41.

⁹ Muladi and Barda Nawawi Arief. 2021. *Theories of Criminalization*, Alumni, Bandung, p. 66.

¹⁰ Ronny Hanitijo Soemitro. 2020. *Legal Research Methodology*, Ghalia Indonesia, Bogor, p. 94.



A good decision regarding domestic violence also demonstrates support for efforts to eliminate domestic violence and protect vulnerable groups. Judges need to consider the social, psychological, and legal impacts of violence, so that the punishment imposed is not only repressive, but also preventive and rehabilitative. By emphasizing victim protection and empowering vulnerable parties, decisions can encourage behavioral changes in perpetrators while strengthening public awareness of the importance of respecting the rights of family members. The judiciary not only enforces the law but also plays an active role in preventing violence and fostering equitable social development.

The Domestic Violence (DV) case in Decision Number: 544/Pid.Sus/2025/PN Tjk illustrates how domestic violence can develop into a criminal case that must be resolved through the courts. In this case, the panel of judges considered that the defendant's actions had fulfilled the elements of a domestic violence crime as regulated in Law Number 23 of 2004, after considering a series of evidence such as witness statements, a post-mortem examination, and the defendant's confession. The victim experienced physical and psychological pressure due to the defendant's repeated actions, resulting in a state of fear and discomfort in the household. The judge then provided legal, sociological, and psychological considerations before issuing the verdict, emphasizing the importance of protecting the victim and efforts to prevent the recurrence of violence. This verdict is a concrete example of how the court interprets domestic violence as a serious crime that needs to be handled firmly to ensure justice and security for the victimized family members.

The novelty of this research lies in its focus, which specifically analyzes the judges' considerations based on the most recent 2025 verdict at the Tanjung Karang District Court, a topic that has not been widely studied in the literature or previous research. This research makes a novel contribution by combining comprehensive legal, philosophical, and sociological analyses of a verdict with specific characteristics related to patterns of violence, the psychological condition of victims, and the dynamics of domestic relationships in a modern context. Furthermore, this research highlights how judges interpret the elements of domestic violence and balance victim protection with the objectives of punishment, resulting in findings that can enrich the discourse on the consistency and quality of decisions in domestic violence cases. This research not only deepens understanding of the implementation of the Law on the Elimination of Domestic Violence in judicial practice but also offers new perspectives on the tendencies and standards of judges' considerations in contemporary domestic cases.

METHOD

The research method employed in this study is a normative juridical approach combined with an empirical approach. The normative juridical approach is used to examine legal norms, statutory regulations, legal principles, and relevant doctrines related to the research subject. Meanwhile, the empirical approach is applied to observe and analyze how these legal norms are



implemented in practice within society or law enforcement institutions. Data obtained from both approaches are systematically analyzed to identify the relationship between legal theory and factual conditions in the field. The conclusions of the study are drawn using deductive reasoning, starting from general legal concepts and principles and then applying them to specific empirical findings. Through this method, the research provides a comprehensive and structured overview of the answers to the research problems based on the results of the study.

DISCUSSION

Factors Causing Domestic Violence (DV)

Domestic violence (DV) is an unlawful act that occurs within the household and causes physical, psychological, and sexual suffering, as well as neglect, to family members. Domestic violence not only directly impacts the victim but also impacts family harmony and the surrounding social environment. The phenomenon of domestic violence is often triggered by an unequal power relationship between the perpetrator and the victim. In practice, victims are often in a weak position, making it difficult to resist or report the act. Therefore, domestic violence is viewed as a structural and recurring crime. The state is obligated to provide legal protection to victims of domestic violence.

The factors causing domestic violence are complex and interconnected. Economic factors are often the primary trigger, especially when financial pressures lead to prolonged conflict within the household. Furthermore, poor emotional control, excessive jealousy, and alcohol or drug use also increase the potential for violence. Patriarchal cultural factors, which place one party in a dominant position, also reinforce the legitimacy of violence. A lack of understanding of the law and the value of equality within the family also contribute to domestic violence. Therefore, domestic violence cannot be viewed as a purely individual issue, but rather a systemic social problem.

An interview with Ghiantama Putra Riadi, an investigator with the Bandar Lampung Police, explained that most domestic violence cases are triggered by unresolved domestic conflicts. Investigators found that uncontrolled emotions are often the primary trigger for physical violence. Furthermore, economic pressure and jealousy often arise in domestic violence cases. Investigators added that victims are often reluctant to report cases due to economic dependence and fear of the perpetrator. This situation leads to repeated violence. Therefore, early intervention by the police is crucial to prevent escalation of violence.

Based on interviews with investigators, it can be analyzed that internal family factors play a dominant role in the occurrence of domestic violence. The perpetrator's inability to manage emotions is the primary trigger, which is then exacerbated by external pressures such as financial problems. The victim's economic and psychological dependence places them in a vulnerable situation. This indicates that domestic violence is not caused by a single factor, but rather by a combination of various factors. The investigator's role is crucial in sensitively gathering



information from the victim. A humanistic approach is necessary to encourage the victim to disclose the incident.

An interview with Eka Septiana Sari, a prosecutor at the Bandar Lampung District Attorney's Office, revealed that domestic domination and abuse of power are often the basis for domestic violence. The prosecutor assessed that perpetrators generally view victims as controllable. Furthermore, a lack of legal awareness within families contributes to violence. During the prosecution process, prosecutors often encounter victims who withdraw their reports due to family pressure. This situation complicates the presentation of evidence in court. Therefore, prosecutors emphasized the importance of legal protection for victims of domestic violence.

Interviews with prosecutors indicate that structural and cultural factors significantly influence domestic violence. The perpetrator's dominance over the victim creates an unbalanced relationship and opens up opportunities for violence. The victim's dependence on the perpetrator reinforces the cycle of violence. The phenomenon of withdrawing reports reflects the victim's weak bargaining position within the social system. This poses a serious challenge to law enforcement. Therefore, law enforcement on domestic violence must be accompanied by an approach that protects and rehabilitates victims.

An interview with Agus Windana, Judge at the Tanjungkarang District Court, revealed that psychological factors and power relations are key considerations in deciding domestic violence cases. The judge noted that domestic violence often occurs due to unequal roles within the household. Furthermore, the judge also considered the social and economic backgrounds of the parties involved in the trial. Victims of domestic violence are generally in a weaker and more powerless position. Therefore, the judge endeavored to thoroughly investigate the facts to uncover the material truth. The verdict is expected to provide a sense of justice for the victim.

Interviews with judges indicate that the legal approach to domestic violence cases cannot be separated from sociological and psychological aspects. Judges view unequal relationships within the household as the root cause of domestic violence. The vulnerable position of victims requires more impartial legal protection. Judges' considerations focus not only on punishing the perpetrator but also on the impact of the act on the victim. This reflects a just legal approach. Therefore, domestic violence decisions must reflect both victim protection and legal certainty.

Benjamin Mendelsohn's theory of victimology is relevant for understanding the causes of domestic violence. This theory emphasizes the victim's role and vulnerability in the crime. In cases of domestic violence, victims often fall into the socially and psychologically vulnerable category. Economic and emotional dependence makes it difficult for victims to escape the cycle of violence. The impacts on victims are not only physical but also long-term psychological. Therefore, victimology helps to comprehensively view domestic violence from the victim's perspective.

Based on the discussion and interview results, it can be concluded that the causes of domestic violence are multidimensional. Economic, psychological, cultural, and power relations within the household are intertwined in triggering violence. The vulnerable position of victims



reinforces the recurrence of domestic violence. Law enforcement has attempted to provide protection, but still faces various structural obstacles. A victimology approach is crucial for a deeper understanding of the victims' circumstances. Therefore, efforts to prevent and address domestic violence must be integrated and focused on victim protection.

Consideration in Imposing Sanctions on Perpetrators of Domestic Violence (KDRT) Based on Decision Number: 544/Pid.Sus/2025/PN Tjk

The judge's considerations in imposing criminal sanctions are crucial for achieving justice and legal certainty. Judges not only consider the fulfillment of the elements of the crime but also the background of the act and its consequences. These considerations encompass legal, sociological, and philosophical aspects. The legal aspect relates to the establishment of evidence and the application of relevant articles. The sociological aspect considers the impact of the act on the victim and society. Meanwhile, the philosophical aspect aims to foster a sense of justice and humanity.

In domestic violence cases, based on Decision Number 544/Pid.Sus/2025/PN Tjk, the judge considered the specific nature and characteristics of the crime. Domestic violence is viewed as a crime that occurs in a private space but has broad social and psychological impacts. The judge deemed the defendant's actions to have violated the victim's sense of security and dignity. Furthermore, the judge also considered the relationship between the perpetrator and the victim, which should be based on mutual respect. The level of violence and the means used are aggravating factors. Therefore, sanctions are imposed to provide a deterrent effect and protect the victim.

An interview with Ghiantama Putra Riadi, an investigator with the Bandar Lampung Police, explained that in domestic violence cases, initial evidence is crucial to the legal process. Investigators strive to gather strong evidence to support the judge's deliberations at trial. According to investigators, victim and witness testimony is the primary basis for uncovering criminal incidents. Furthermore, investigators also consider the victim's psychological state when providing testimony. Investigators believe that repeated violence can be an aggravating factor in imposing sanctions. Therefore, investigations are conducted carefully and comprehensively.

Based on interviews with investigators, it can be analyzed that the quality of the investigation directly influences the judge's considerations in imposing sanctions. Complete and consistent evidence strengthens the judge's belief in the defendant's guilt. The investigator's attention to the victim's condition demonstrates a victim-oriented approach. This is relevant in domestic violence cases, which have a strong psychological dimension. A sound investigation allows the judge to assess the perpetrator's level of culpability more objectively, and the investigator plays a crucial role in shaping the judge's deliberations.

An interview with Eka Septiana Sari, a prosecutor at the Bandar Lampung District Attorney's Office, revealed that the criminal charges were formulated based on the facts of the



trial and the victim's protection. The prosecutor considered the severity of the violence and the consequences for the victim. Furthermore, the prosecutor also considered the defendant's demeanor during the trial. According to the prosecutor, the sentence imposed must reflect a sense of justice and provide a deterrent effect. The prosecutor also believes that domestic violence is a serious crime that should not be taken lightly. Therefore, the criminal charges were formulated proportionally.

Analysis of interviews with prosecutors indicates that the prosecution plays a strategic role in influencing the judge's deliberations. Argumentatively crafted charges provide a framework for the judge in issuing a verdict. The prosecutor's orientation toward victim protection aligns with the goals of modern criminal justice. This demonstrates a paradigm shift from the perpetrator to the victim. The prosecutor's consideration of the defendant's attitude is also relevant in determining the severity of the sanction, with criminal charges being one of the judge's primary references.

An interview with Agus Windana, Judge at the Tanjungkarang District Court, stated that judges are obligated to explore the values of justice inherent in society. In domestic violence cases, judges pay close attention to the psychological impact on the victim. They also consider the personal relationship between the perpetrator and the victim. Furthermore, judges comprehensively assess the evidence and facts of the trial before imposing sanctions. According to the judge, criminal penalties are not only intended to punish but also to educate.

Interviews with judges indicate that considerations in domestic violence cases are comprehensive. Judges not only adhere to normative aspects but also consider the victim's social and psychological circumstances. This approach reflects the application of substantive justice. Consideration of the impact of the act demonstrates a bias in favor of the victim. This is crucial to preventing recurrence of violence, and judges play a central role in providing legal protection through their decisions.

Based on the overall interview results, Benjamin Mendelsohn's Victimology Theory is relevant as an analytical tool for understanding judicial considerations. This theory emphasizes the role and vulnerability of victims in criminal acts. In domestic violence cases, victims are in a structurally and psychologically weak position. This condition influences how judges assess the impact of the perpetrator's actions. By using a victimology perspective, judges can impose sanctions that are more oriented toward protecting victims. Therefore, victimology enriches the legal considerations in decisions.

Based on Decision Number 544/Pid.Sus/2025/PN Tjk, it can be concluded that the judge's considerations in imposing sanctions on perpetrators of domestic violence are multidimensional. The judge considers legal, sociological, and philosophical aspects in a balanced manner. The trial facts, evidence, and the impact on the victim are the main factors in sentencing. The role of investigators and prosecutors also influences the formation of the judge's conviction. The victimology approach strengthens the orientation toward victim protection.



CONCLUSION

1. The factors causing domestic violence (DV) are multidimensional and interrelated. Economic factors, inability to control emotions, unequal power relations, and patriarchal culture are the main triggers for domestic violence. Furthermore, victims' economic and psychological dependence on their perpetrators places them in a vulnerable position, making it difficult to escape the cycle of violence. A lack of legal understanding and low awareness of victims' rights further exacerbate the situation. A victimology perspective indicates that victims of domestic violence generally fall into the weak and powerless category. Therefore, domestic violence cannot be viewed solely as a private matter, but rather as a social problem requiring state intervention .
2. The judge's considerations in imposing sanctions on perpetrators of domestic violence based on Decision Number 544/Pid.Sus/2025/PN Tjk are carried out comprehensively by considering legal, sociological, and philosophical aspects. The judge bases his decision on the fulfillment of the elements of the crime, valid evidence, and the facts revealed in court. In addition, the judge also considers the physical and psychological impacts experienced by the victim as a result of the perpetrator's actions. The relationship between the perpetrator and the victim is an important consideration because domestic violence violates humanitarian values and a sense of security within the family. The victimology approach strengthens the judge's orientation to provide protection for victims. Thus, the sanctions imposed aim to provide a deterrent effect, justice, and legal protection for victims of domestic violence.

FUTURE DIRECTIONS

1. Law enforcement officials, the government, and the community are expected to increase prevention efforts through legal education and raising awareness of domestic equality. Victim protection must be strengthened, particularly in the economic and psychological aspects, so that victims do not become completely dependent on the perpetrator. Furthermore, synergy is needed between the police, social institutions, and women's and children's protection agencies in handling domestic violence cases in an integrated manner. Preventive and rehabilitative approaches should be prioritized to break the cycle of violence. This way, the potential for domestic violence to occur can be minimized early.
2. Judges are expected to prioritize victim protection and substantive justice in deciding domestic violence cases. The sociological and psychological aspects of victims need to be further explored in every decision. Furthermore, the application of victimology theory can serve as an additional analytical framework in legal reasoning. Law enforcement officials are also expected to improve coordination so that the investigation and prosecution processes produce strong evidence in court. Thus, court decisions not only provide legal certainty but also a sense of justice and maximum protection for domestic violence victims.



REFERENCES

- Achmad Yulianto and Mukti Fajar. 2015. Dualism of Empirical Normative Legal Research , Pustaka Pelajar, Yogyakarta.
- Andi Hamzah. 2020. Indonesian Criminal Law , Sinar Grafika, Jakarta.
- Barda Nawawi Arief. 2021. Anthology of Criminal Law Policy , Kencana, Jakarta.
- Lilik Mulyadi. 2020. General and Written Criminal Law , Rajawali Pers, Jakarta.
- Muladi and Barda Nawawi Arief. 2021. Theories of Criminalization , Alumni, Bandung.
- Ronny Hanitijo Soemitro. 2020. Legal Research Methodology , Ghalia Indonesia, Bogor.
- Satjipto Rahardjo. 2019. Legal Science , Citra Aditya Bakti, Bandung.
- Wagiati Soetedjo. 2019. Domestic Violence and Legal Protection of Victims , Refika Aditama, Bandung.
- Zainab Ompu Jainah and Almira Rotua Qari. 2025. Analysis of Judges' Considerations in Deciding on Alternative Charges Against Perpetrators of Online Gambling Crimes , Journal of Health Education Law Information and Humanities, Vol. 2 (1).
- Zainab Ompu Jainah, Intan Nurina Seftiniara and Sheila Monica Yohanes. 2021. Analysis of Criminal Responsibility for Child Perpetrators of Violent Crimes Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance, Vol. 1(3).

